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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic report of States parties

Yemen*

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* For the initial report submitted by the Government of Yemen, see CEDAW/C/5/Add.61, which was considered by the Committee at its twelfth session. For the second periodic report submitted by the Government of Yemen, see CEDAW/C/13/Add.24, which was considered by the Committee at its twelfth session. For the third periodic report submitted by the Government of Yemen, see CEDAW/C/YEM/3, which was considered by the Committee at its twelfth session. For the fourth periodic report submitted by the Government of Yemen, see CEDAW/C/YEM/4.

Republic of Yemen
High Council on the Status of Women
Women's National Committee

NATIONAL REPORT ON PROGRESS TO DATE IN THE IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Fifth periodic report

Sana'a, November 2001

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Introduction

The Women's National Committee has prepared this, its fifth periodic report, on the basis of statistical data from various years. A working group was established, made up of women members of the Committee under the direction of the Committee's consultant, Dr. Abdulhakim al-Sharjabi. The working group completed its task in record time, thanks to the statistical data available from the Documentation Unit that was recently set up within the Committee.

Despite the fact that the interval between the preparation of the fourth and fifth reports has been no more than approximately one year, the advancement of the status of the women of Yemen has proceeded rapidly during that time. One example is the restructuring of the Committee itself, which has become the High Council on the Status of Women, and the broadening of its membership to include representatives of all Government ministries and a number of other Governmental agencies, as well as representatives of civil society (political parties, associations and the private sector). Other examples are the appointment of Yemen's first woman ambassador and first woman Government minister. In addition, amendments to various discriminatory statutes have been formulated and given approval in principle by the Council of Ministers, in accordance with the true and tolerant Islamic *Shari'ah* and Yemen's Constitution, which guarantees the rights of women on an equal footing with those of men in all areas of life.

The fourth report had a far-reaching impact in that it shed light on many issues of relevance for women, notably those reflected in the Convention on the Elimination of All Forms of Discrimination against Women, including legal issues, issues of education, health issues, and so on.

The reader may find that in a good many instances, the statistical data contained in the fifth report are similar to their predecessors in the fourth report. However, the actual situation in the country has evolved considerably. Status of Women Directorates have been established in all Ministries, and these have served as connecting links to the Committee. In addition, a gender mainstreaming strategy has been developed in conjunction with the second Five-Year Plan, with forward-oriented thinking up to the year 2025. We may note at this point that during this period, particular emphasis has been placed on the struggle against poverty and the effort to alleviate it. The Committee is participating in the work of the task force responsible for the strategy, in order to ensure that the status of women is included as a component of it, and is receiving support and esteem from all the individuals and organizations concerned.

As regards civil society, many associations concerned with the status of women have been founded, and the number of women members of political parties has increased. Moreover, a businesswomen's association has recently been established, marking women's first steps into the private sector.

Important as these accomplishments have been, the fact remains that there is still a gap between men and women in the matter of leadership positions and political office. In some instances, moreover, provisions of the law have not been implemented in practice.

The report was considered at a workshop with a membership consisting of a number of prominent women leaders and specialists and chaired by Dr. Wahiba Faraa, Minister of State for Human Rights. A number of alterations were made to the text in accordance with the conclusions and suggestions of the workshop.

In conclusion, I should like to extend my heartfelt thanks and appreciation to the members of the working group and the Committee's consultant for their invaluable efforts in drafting this report and having it ready for presentation in time to meet the deadline set by the United Nations.

I wish to express special thanks to the United Nations Population Fund (UNFPA) for defraying the cost of updating and reprinting the report.

May God grant success to all in matters of benefit to the nation

Rashida al-Hamdani
Chair, Women's National Committee

PART I

General background

The Republic of Yemen is located in the southern part of the Arabian Peninsula. Its area is 555 000 square kilometres (exclusive of the Empty Quarter). It is bounded on the north by the Kingdom of Saudi Arabia, on the south by the Arabian Sea and the Gulf of Aden, on the east by the Sultanate of Oman, and on the west by the Red Sea. To the southwest is the Strait of Bab el-Mandeb, with the island of Mayoun (Perim), which is part of Yemen, in the midst of it, dominating the approaches to the Red Sea. Socotra, the largest of Yemen's islands, with an area of 365 square kilometres, lies in the Arabian Sea 510 kilometres from the coast. In the Red Sea, there are more than 112 islands that belong to Yemen, including Kamaran, Greater Hunaish, Lesser Hunaish, Zuqur, Al-Zubair, Al-Tair, and many others.

Islam is the State religion and the source of the legitimacy of Yemen's Constitution and laws.

The population of the Republic, according to projections for the year 2000, is approximately 18 261 000. The country is divided into 19 Governorates and the National Capital Region.

Different Governorates are characterized by widely disparate population densities; for the country as a whole, however, population density is approximately 30 persons per square kilometre.

Population data (projections for the year 2000)

Total population:	18 261 000
Males:	9 134 000
Females:	9 118 000
Males as a percentage of total population:	50.07
Females as a percentage of total population:	49.93
Urban population:	4 802 000
Urban population (males):	2 587 000
Urban population (females):	2 215 000
Urban population as a percentage of total population:	26.06
Number of years required for population to double:	20.0
Average natural yearly population growth rate:	3.5%
Average number of families per dwelling:	0.98

Source: Central Statistics Organization, Ministry of Planning and Development, *Statistical Yearbook*, Sana'a, June 2001.

TABLE 1

Type of indicator	Rural	Urban	Total
Male-female ratio, under 1 age group (2000)	-	-	105
Male-female ratio, total population (projections for 2000)	100.2	100.5	100.3
Ratio of under-15 age group to total population (projections for 2000)			
Males	-	-	-
Females	-	-	-
Both sexes	-	-	48.6
Rural and urban population as percentages of total population	73.70	26.30	100
Median age (estimated, 2000)			
Males	-	-	15.7
Females	-	-	15.89
Both sexes	-	-	15.47
Average age (estimated, 2000)			
Males	-	-	20.70
Females	-	-	21.58
Both sexes	-	-	21.14
Dependency ratios (1999)			
Dependency ratio, children 0-14	108.9	82.5	101.2
Dependency ratio, persons 65 and over	7.9	5.3	7.2
Age dependency ratio	116.9	87.8	108.4
Total-dependency ratio	216.9	187.8	208.4
Actual dependency ratio	308.4	342.5	316.8
Economic dependency ratio	408.4	442.5	416.8

Notes: Dependency ratio per 100 inhabitants in the 15-64 age bracket.
Actual dependency ratio per 100 economically active inhabitants
Economic dependency ratio per 100 economically active inhabitants including the head of the family.

TABLE 2

Type of indicator	Rural	Urban	Total
Fertility and mortality indicators			
Total fertility rate (2000)	6.3	4.0	5.8
General fertility rate (per thousand women)	202	163	188
Crude birth rate (per thousand women)	39.7	35.0	38.9
Mortality rates, children under 5 (per thousand) (2000)			
Males	114.0	78.9	106.0
Females	87.0	65.5	83.0
Both sexes	105.7	72.1	94.8
Crude mortality rates (per thousand) (2000)			
Males	12.6	10.0	11.9
Females	10.2	8.6	10.3
Both sexes	11.6	9.4	11.2
Life expectancy at birth (years) (2000)			
Males	57.3	59.9	58.8
Females	60.3	64.0	62.7
Both sexes	58.8	61.9	60.7
Mean age at first marriage (1999 labour force survey)			
Males	-	-	25.35
Females	-	-	21.94
Both sexes	-	-	23.63
Demographic indicators (1997 mother and child health survey)			
Population and family data			
Average family size	-	-	7.4
Average number of individuals per room	3.2	2.6	3.1
Average number of individuals per bedroom	4.2	3.5	4.0
Female head of household ratio	10.0	9.0	10.0
Infant mortality rates (2000)			
Males	88.5	63.6	80.0
Females	53.2	51.3	52.4
Both sexes	72.0	50.0	67.4

Economic situation

Yemen's economy is currently in the grip of a severe crisis, the first signs of which appeared in the 1980s. The crisis has been accompanied by a number of far-reaching political and economic changes, which undoubtedly helped bring it on. The first of these changes was the reunification of the country in May 1990, with the resultant merging of two different economies, both backward. The second was the Gulf crisis of August 1990, as a result of which hundreds of thousands of expatriate Yemenis returned from the Gulf States, where they had been working. At the same time, the volume of foreign aid and loans dwindled or was cut off altogether, while the level of domestic savings remained low. As a result, poverty in the country not only continued but became worse. These factors have affected women in various ways, the most important of which are discussed below.

(a) Population growth

Yemen's population growth is approximately 3.5 per cent annually, one of the highest rates in the world, far outstripping economic growth and social and environmental development. Gross domestic product (GDP), for its part, grew during the 1990s at an annual rate of 2.9 per cent in constant price terms, or 27.7 per cent in current price terms, while inflation ran at an annual rate of over 75.8 per cent. The country's population growth constitutes a barrier to improved living conditions and individual welfare, inasmuch as the greater the rate of population increase, the smaller the share of such basic services as education, health, water and housing that is available to each individual. This population growth, incommensurate as it is with the society's economic resources, is adversely affecting all social groups, but is having a particularly severe impact on women, who find themselves confronted with a number of interrelated problems in such areas as nutrition, education, health and various aspects of social welfare. Their situation is aggravated by the fact that they live in a traditional society that still pays more attention to men and gives them priority in terms of services.

(b) Low per capita income

There has been a marked increase in average family size in Yemen, owing to population growth. According to the 1999 labour force survey, for the country as a whole, the average number of individuals per family is 7.7. In the case of poor families, the figure is 8.5 individuals, compared to 5.9 individuals in the case of better-off families.

Individual income in Yemen is very low by comparison with the constantly increasing cost of living and growing demand for the necessities of life. Per capita gross national product (GNP) was 9 550 rials in 1990 and 65 414 rials in 2000. Table 4 shows GNP, GDP and per capita GNP. Yemen's national income was approximately 122 817 million rials in 1990; in 2000, it was approximately 1 323 620 million rials.

Remittances sent home by Yemenis working abroad, after peaking at $809.2 million in 1985, declined steadily to $120 million per year in the course of the subsequent years, finally ceasing altogether in the aftermath of the Gulf crisis in August 1990.

TABLE 3

Remittances from Yemenis working abroad, 1975-1990

Item	1975	1980	1985	1990
Remittances ($ million)	329	1 417	1 189	1 133
Remittances as % of GDP	24	40	24	17
Remittances as % of foreign exchange earnings	56	65	38	22

TABLE 4

GDP, GNP and GNP per capita, 1995-2000

Year:	1995	1996	1997	1998	1999	2000
1 – Number of residents at midyear (thousands)	15 421	15 961	16 520	17 090	17 700	18 261
2 – GDP at market prices (millions of rials)	449 271	554 036	888 808	849 321	1 132 619	1 379 812
3 – GNP at market prices (millions of rials)	433 098	574 893	812 768	801 505	1 026 943	1 194 519
4 – GNP per capita (rials)	28 085	36 019	49 199	46 899	58 019	65 414
5 – GNP per capita (US$)	281	281	381	345	373	404
6 – Average exchange rate of US$ (rials)	100.00	128.00	129.28	135.88	155.75	161.73

Political and legal situation

Yemen's legislation has evolved considerably in recent years, especially since the country's unification on 22 May 1990, in response to the economic, social and political changes that have taken place. All law, however—civil, criminal, administrative or relating to personal status—is derived from Islamic law (the *Shari'ah*).

PART II

Articles 1-4

General and legal measures aimed at eliminating discrimination against women, promoting their development and advancing their status

Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women defines discrimination against women as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women… of human rights and fundamental freedoms in the political, economic, social cultural, civil or any other field." Under Article 2 of the Convention, Governments undertake to eliminate discrimination against women and to establish equality through constitutional, legislative and other means. This is emphasized in Article 3, which calls upon Governments to take positive measures to ensure the full development and advancement of women.

In the light of these articles, we may now turn to a consideration of the general policies and legal measures aimed at ensuring equality between the sexes in Yemen's constitutional and legal context.

The Constitution of the Republic of Yemen

The Constitution of the Republic was promulgated on 1 December 1994 and amended in the year 2000. All its terms and provisions are based on Islamic law, the *Shari'ah*. The Constitution affirms that laws and regulations are issued only to secure citizens' rights: Article 24 states, "The State shall guarantee equal opportunity in the political, economic, social and cultural spheres for all citizens, and shall enact laws to that end." Citizens, of course, include both men and women. This is one means whereby the full development and advancement of women are ensured. It is also incumbent upon all States to ensure the welfare of mothers and children, and Yemen's Constitution includes provisions designed to serve that purpose: Article 30 states, "The State shall protect the welfare of mothers and children, and shall care for adolescents and young people." The Constitution enshrines the principle of equal rights and duties for all citizens: Article 31 states, "Women and men are sisters and brothers, enjoying the same rights and subject to the same responsibilities in accordance with the provisions of the *Shari'ah* and the law." Article 48, paragraph 1, states, "The State shall guarantee the personal freedom and preserve the dignity and security of all citizens. The law shall define the circumstances in which a citizen's freedom may be restricted, but no person's freedom shall be restricted except pursuant to a judgement made by a competent court." Article 58 deals with political rights; it states, "Citizens throughout the Republic shall have the right to organize political parties, professional associations and trade unions, to found scientific, cultural and social organizations and to establish national societies, insofar as such activities are not incompatible with the provisions of the Constitution and serve its purposes. The State shall guarantee that right and shall employ all necessary means to enable citizens to exercise it, and shall ensure the freedom of political, cultural, scientific and social associations and trade unions." It will be seen from the foregoing that all citizens of Yemen enjoy equal rights, with no discrimination between men and women.

- **The General Elections Law (Law No. 27 of 2001)**

The General Elections Law was enacted in 1996. However, owing to the democratic course on which Yemen has embarked and the broadening of the scope of power and responsibility enshrined in its policy of administrative decentralization, elections for the first level of power (local assemblies) were held in February 2001, i.e. after the enactment of the General Elections Law of 1996. This led to revision of the law to bring it into line with the changes that had taken place, and in the end a new law, the General Elections and Referendum Law, was enacted in 2001 (Law No. 27 of 2001). Under the new law, as under the old, women had the right to vote, to stand as candidates and to participate in constitutional referendums on an equal footing with men, both women and men being deemed fully competent and responsible. However, because there are still substantial administrative, organizational and social obstacles that may tend to prevent women from enjoying these legal rights, the new law includes a special "regardless of gender" provision designed expressly to encourage women to exercise their electoral rights.

- **The Local Authorities Law (Law No. 4 of 2000)**

This is a law that organizes elections for and the establishment of local assemblies for districts and Governorates. It was drafted in response to the evolving situation in Yemen and as a means of giving effect to the principle of administrative decentralization. Under this law, women have the right to vote and stand as candidates for the local assemblies of districts or Governorates on an equal footing with men; the law does not discriminate in any way. The conditions applicable to candidates are the same for women as for men. Gender is not a precondition either of the right to vote or of the right to stand for election.

- **The Judiciary Law (Law No. 1 of 1991)**

This law gives women the right to be members of the judiciary. They may serve as judges and as public prosecutors. The list of conditions applicable to holders of these posts does not include the requirement that incumbents must be male; those conditions are general in nature and are equally applicable to both sexes. Yemen is one of the few Arab States of the Arabian Peninsula and the Gulf region to have granted women this right. In 1997, women members of the judiciary included 14 judges, 53 lawyers and 25 holders of posts in public prosecutors' offices. More recent developments have included the appointment of a number of women as deputy prosecutors. In 2000, a women's police force was established. Its officers perform the same tasks in maintaining order and keeping the peace as their male counterparts.

- **The Law of Criminal Procedure (Law No. 13 of 1994)**

This law includes special provisions for women, taking into consideration the situation of pregnant and nursing women and women with young children in their care. Article 484 stipulates that a death sentence or penalty prescribed by Islamic law shall be stayed for a pregnant or nursing woman, in the former case, until the child is born, and in the latter, until the child is weaned, and even then, the penalty shall be applied only provided there is someone available to care for the child. Under this law, a sentence involving deprivation of freedom may be suspended for a pregnant woman until she has given birth and for not less than two months thereafter, and the law stipulates that the convicted woman shall be given special treatment appropriate to her condition. In addition, the provisions of this law are framed with a view to protecting the human rights of women and men on a basis of equality, especially as regards family matters.

Moreover, the law affirms the freedom and dignity of women by stating that no woman detainee shall be searched by a man; a woman may be searched only by another woman. This guarantees that a woman detainee is not at risk of being robbed or subjected to an affront to her honour or modesty.

- **The Criminal Code (Law No. 12 of 1994)**

The Criminal Code defines acts that are deemed to be criminal in nature and specifies appropriate penalties. It does not concern itself with women as such or with men as such, but rather with criminal behaviour, crime and punishment. Accordingly, it does not discriminate between men and women in any way. Any man or woman who commits a criminal act, as defined in the Criminal Code, is subject to the prescribed penalty for that act, without discrimination.

It should be noted, however, that under the Code, a husband who catches his wife in the act of adultery and kills her along with her partner is not charged with murder. The same applies to a man who kills a female ascendant or descendant or a sister whom he catches in the act of adultery. Article 232 of the Code states, "A husband who catches his wife in the act of adultery and kills her along with her partner, or subjects them to violence resulting in death or disablement, shall not be charged with murder, but shall be subject only to a term of imprisonment not exceeding one year or a fine. The same shall apply to a man who kills a female ascendant or descendant or sister whom he catches in the act of adultery."

It thus appears that under this article, a man is allowed to kill his wife or a female ascendant or descendant or sister whom he catches in the act of adultery, but the same tolerance is not extended to a woman who catches her husband in the act of adultery; a woman who killed her husband under those circumstances would be charged with murder.

Clearly, it would be desirable either for this article to be removed from the Code, or for the same rights in the matter to be extended to women. The Women's National Committee has taken up the matter, and has submitted a report to the Council of Ministers requesting amendment of Article 232 of the Criminal Code and similar articles in other statutes. A provision of that kind is nothing but a legalized justification for killing, which unscrupulous persons might use as an excuse for doing away with their wives.

- **The Nationality Law**

Under this law, women enjoy equal rights with men as regards the acquisition of citizenship; the law does not discriminate between the sexes in any way. However, the law does state that children born to a Yemeni woman married to a foreigner are prohibited from acquiring their mother's nationality. See also the section of this report dealing with Article 9 of the Convention.

- **The Civil Service Law (Law No. 19 of 1999)**

This law clearly states that appointments to Civil Service posts are made on the basis of the principle of equal opportunity, and guarantees equal rights for all citizens, without favouritism or discrimination. It expressly gives women the right to hold posts for which they are suited by nature. See also the section of this report dealing with Article 11 of the Convention.

- **The Labour Code (Law No. 5 of 1995)**

Many women work in the private sector, and in view of the nature of that sector and the dominance exercised by businessmen, the exploitation of women workers is a possibility. The Labour Code addresses that risk by stipulating that women have a right to work on an equal footing with men. The Code sets forth the conditions governing working women and guarantees their rights. A special section of the Code is devoted to the matter. See also the section of this report dealing with Article 11 of the Convention.

- **The Social Insurance Law (Law No. 26 of 1991)**

Under this law, the rights of insured persons of both sexes are protected. However, women are entitled to begin drawing old age pension benefits at the age of 55, whereas men are not entitled to begin drawing those benefits until they reach the age of 60, subject in both cases to the condition that the insured person must have been contributing to the pension plan for not less than 15 years. Alternatively, a woman may begin drawing her benefits once she has made 300 contribution payments, regardless of her age; the corresponding figure for a man is 360.

This law applies to all State employees and all workers, men and women, in both the public sector and the mixed sector. It grants women many privileges in consideration of their social and family situation.

- **The Social Welfare Law (Law No. 21 of 1996)**

The Social Welfare Law was enacted in 1996 and subsequently amended by Law No. 17 of 1999. This law was enacted to address structural defects in the financial and administrative economic reform programme, which had resulted in hardship for various social categories and population groups, such as low-income people, orphans, and women having no one to maintain them.

- **The Education Law (Law No. 45 of 1992)**

Under this law, the sexes are on an equal footing with respect to the right to benefit from the opportunities offered by the country's educational institutions. The law provides that girls are entitled to access to education in accordance with their aptitudes and abilities, no less than boys.

The progress achieved in recent years, especially the 1990s, points up the fact that there have been many positive changes in Yemen's legislation, and this suggests that we shall do well to undertake an in-depth analysis of the content of the laws in question, encompassing as they do much of the changing social situation of women, which is bound up with the country's evolving social, economic and political conditions, customs and value system, and the role and image of women. Upon doing so, we arrive at the conclusion that for the most part, Yemen's changing laws simply reflect political, economic and social change generally. That is why the position of women has begun to change, and society at large, and decision-makers in particular, have had to learn to adjust to the new context. Girls are attending school in ever-growing numbers, and women have fearlessly entered many areas of the labour market and public life, with the result that they now participate substantially in political parties and organizations and professional associations.

The fact remains that it is urgently necessary to activate these laws in order to put an end to the discrimination that still subsists, owing to the way their provisions have sometimes been interpreted. It is also urgently necessary to alter the traditional perception of the respective places and roles of men and women, reinforced as it is by a social value system that has acted as a brake on the integration of women in the public sphere and made it difficult for them fully to exercise their equal rights under the law, in accordance with the Convention, which Yemen has ratified and which has entered into force.

It is essential for the content of the Convention to be published and for awareness of its provisions to be disseminated and publicized, so that it will be known and taken legally and officially into account by all relevant administrative bodies, judges, lawyers and national human rights organizations. The formal difficulties that stand in the way of the application of Yemen's laws enshrining equal rights for both sexes must be addressed, and practical measures for the effective enforcement of the provisions of those laws must be devised.

An effective approach to dealing with obstacles to the implementation of the Convention would begin with an inquiry into the underlying reasons why Yemen's national legislation in the matter and international conventions, including the Convention on the Elimination of All Forms of Discrimination against Women, have not been applied in full. It is essential to have a clear picture of the most important gains that have actually been achieved, and of the various remaining forms of discrimination. Yemeni women's actual accomplishments are still not commensurate with their rights as legally and socially recognized, the rights for which they have struggled and which the Government supports, aware as it is of their importance and of the fact that women are full citizens. The rights that women have won must be strengthened in acknowledgement of the meaningful role that they have to play within their families and in society, as otherwise the gains achieved to date may ultimately be lost. Women's individual, social and political rights must be reinforced, and women must continue to demand their rights and recognition of those rights.

In addition, it is of the utmost importance that we continue to work for the introduction, without delay, of legislative amendments that enshrine the principle of legal equality in accordance with the *Shari'ah*. The law must be made consistent with women's capabilities and their importance as an effective element of society. There are still residual social and psychological attitudes that affect our situation; once these have been dealt with, it will become easier for us to live with the changes that are occurring today, and to seek to have the laws updated and adjusted so that they are more appropriate in terms of the new reality.

- **The Optional Protocol to the Convention**

In order to follow progress made by States Parties in implementing the Convention on the Elimination of All Forms of Discrimination against Women, in 1996 the Commission on the Status of Women established an open-ended working group with the task of drafting an Optional Protocol of a procedural nature. The Optional Protocol was duly drafted, and the working group proceeded to discuss it in that same year. In 1998 the working group completed its second reading of the draft text. In 1999, at the forty-third session of the Commission on the Status of Women, which meets yearly at United Nations Headquarters in New York, the delegations decided that the Commission should consider the final draft text before meeting to discuss preparations for the special session of the General Assembly which was to be held in New York in June 2000 on the theme "Women 2000: gender equality, development and peace for the twenty-first century". In the event, the Protocol was submitted to the General Assembly and adopted in 1999. It subsequently entered into force following ratification by 10 States Parties to the Convention on the Elimination of All Forms of Discrimination against Women. We may note at this point that as of March 1999, the Convention had been ratified by 163 States.

The Protocol contains 24 articles covering a number of aspects that are not included in the Convention. It reviews the various international instruments and conventions that provide for equal human rights for men and women, including the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights (i.e. the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights), the Vienna Declaration adopted at the 1993 World Conference on Human Rights, which acknowledged the need for an optional protocol to the Convention, and finally the Beijing Platform for Action, which urged that work on such a protocol should begin as soon as possible. In view of the importance of the Optional Protocol, it is essential for Yemen to ratify it, especially since Yemen is a State Party to the Convention. At the present time, the Protocol is being vigorously discussed and debated by all relevant authorities in Yemen, and it appears probable that it will soon be ratified, inasmuch as Yemen objected to only one article of the Convention.

- **The National Population Policy 2001-2025**

The National Population Policy for 2001-2025 extends and updates the Population Plan of Action for 1996-2000, which was concerned with the care of the elderly. Its objectives include the following:

1. Action, through appropriate mechanisms, to strengthen the autonomy of elderly persons, and the provision of conditions conducive to enhancement of their quality of life;
2. Establishment of a health care system alongside the old age economic and social security system, with particular attention to the needs of elderly women;
3. Establishment of a social support system, both formal and informal, with a view to making it easier for families to care for elderly persons in the home.

- **The changing function of the family in our society**

Our society is currently evolving, and the process has been accompanied by many changes, which have had a particularly severe impact on low-income families. Many such families are no longer able to sustain themselves, and both adults and children have experienced hardship, despite increased outlays by the Government for economic and social assistance, besides the support provided by the extended family system in rural areas. Poverty is increasing among rural families, and the nuclear family has made its appearance in the cities.

Owing to these various factors, the issue of care of the elderly has been receiving more attention in Yemen in recent years. As a result of the changing function of the family, it has become necessary to provide more institutional services and accommodation for elderly persons, especially those who are disabled or whose families are poverty-stricken.

- **Institutions for the care of elderly persons**

The care of elderly persons is a matter to which the State has given its attention, in accordance with the Population Plan of Action and the National Policy. The country has four institutions that provide care and accommodation for the elderly, including one each in the cities of Sana'a , Ta'iz, Hodeida and Aden. The Centre for the Care of the Elderly in the capital, Sana'a, currently serves 82 elderly persons, both men and women. In Ta'iz Governorate there is a similar centre, which currently accommodates 40 people, of whom 25 are men and 15 women. The centre in Hodeida Governorate has a clientele of 120 elderly persons in all, including both men and women, while its counterpart in Aden serves 73 men and 16 women. All told, then, there are 331 elderly persons receiving services. The four centres have a total of 73 staff members.

Non-governmental organizations, for their part, have no programmes or activities expressly dedicated to the elderly. They provide training programmes for women in various fields, but these are not concerned with elderly persons as such. These organizations should be encouraged to offer programmes and activities that focus on the issues of care and rehabilitation for elderly persons of both sexes, with special attention to low-income and disabled women, who often have to live in difficult circumstances and consequently are particularly in need of appropriate care and rehabilitation services.

The present report focuses primarily on the matter of care for elderly women in particular, since women tend to live longer than men. Among elderly persons in general, for every 100 men, there are 190 women. In the over-80 age group, there are 181 women for every 100 men; in the over-90 age group, there are 287, and in the over-100 age group, there are 286 women for every 100 men.

Old age is a social concept: it is society that gives different individuals different life expectancies, depending on gender and on social and cultural values and criteria. Different individuals are assigned different roles in society. In Yemeni society, for example, the social values that dictate the age of marriage for men and women respectively usually result in husbands' being older than their wives. This is especially true for families that do not have much education and rural families.

- **The problems of elderly women**

It is sometimes impossible for elderly women to acquire land, property or other resources, although there are no formal legal obstacles. Health services for elderly women are inadequate, and consequently they sometimes suffer from malnutrition, especially in rural areas. Poverty is increasing among elderly women, with the result that they live under very difficult conditions, aggravated by the fact that they lack social and economic security and tend to be uninformed and illiterate. The ranks of poverty-stricken elderly women are growing at a more rapid rate than are those of elderly men.

- **Problems facing families and women where the head of the family has emigrated**

Emigrants who have returned to Yemen after having spent some time abroad, and their wives and families, have had to face many problems, of which the most important are the following:

- Difficulty in re-entering the labour market, especially after the return of 715 924 emigrants. Only 38 390 of these returning emigrants (5.3 per cent) have found employment, while another 131 064 (18.3 per cent) are pursuing their educations. The remaining 546 470 (76.4 per cent) are unemployed.

  There is thus a domestic labour surplus, at a time when Yemen's economy is creating no more than an estimated 18 000 to 19 000 new jobs yearly.

  This situation has given rise to numerous problems which have had an adverse impact on the returning emigrant workers themselves and on their families, notably the women.

- The industrial experience and skills that returning Yemeni workers had acquired in the oil-producing States were often not appropriate in terms of the domestic labour market or the needs of Yemen's economy.

- Since the mid-1980s, most emigrant Yemeni workers had worked in the commercial and services sector, rather than in industry. Of 51 920 workers who had had sales or other commercial jobs in the Gulf, only 13 015 have been able to find similar jobs upon their return to Yemen.

- In the Gulf States, the commercial and services sector functions on an advanced infrastructure; the returning emigrant worker found nothing comparable in Yemen. However, the phenomenon of emigration and return has had some positive aspects. For one thing, only 0.81 per cent of the returning workers have been employed in the agriculture sector, despite the fact that 3.2 per cent of them had had agriculture-related jobs before emigrating. This is attributable to the fact that even though many of the returning Yemeni workers initially turned to the agriculture sector, substantial numbers of them have since taken jobs working for contractors in the construction and building sector.

In particular, Yemeni women who have returned after having emigrated, especially those who have lost their husbands since returning to Yemen, have been confronted with many problems. They have had to support their families at an age when they are unlikely to find work, especially in view of the obstacles placed in their way by social customs and traditions, according to which the employment of women is restricted to such activities as domestic service work in private homes or office jobs.

Housing is one of the most serious problems facing Yemenis returning home after working outside the country. As a rule, the entire family had emigrated with the intention of remaining abroad for an extended period of time. The economic circumstances of many of those families had been such that they could not afford to acquire a home in Yemen. Statistical data in some reports have indicated that approximately 73.6 per cent of all returning heads of families (232 369 individuals out of a total of 318 564) have no homes.

This situation has led to the appearance of makeshift dwellings on State-owned land in some parts of Yemen, such as Hodeida and Aden. The number of families squatting in such makeshift dwellings in those areas is estimated at 12 300. It is true that the phenomenon predates the Gulf crisis, but the return of large numbers of Yemeni emigrant workers after that crisis has undoubtedly aggravated the problem. Surveys show that the number of squatters living in makeshift housing in Aden was approximately 15 000 before the Gulf crisis, but 35 000 after it. Furthermore, the families in question are characterized by their large size: they average 9.6 persons, compared to an average family size of between 6 and 9 persons for Yemen as a whole. Approximately 75 per cent of these families live below the poverty line, relying mainly on assistance and donations of food.

Unemployment among those of them who are able-bodied is 73 per cent, while 12.4 per cent of all persons in that category have only temporary work. The children of 32.6 per cent of these families are not attending school. And, as noted, these returning emigrants are seriously in need of housing. Because of these various problems, returning emigrant women and their families find themselves very badly off economically and socially, and their situation becomes even worse when they no longer have the opportunity of earning steady income, such as the heads of families formerly enjoyed while working abroad. The most serious problems confronting returning emigrant families are:

- Inadequate social services and basic services:
  1 – Investment in new schools has been cut off as a result of the Government's budget deficit;
  2 – The number of pupils per teacher rose from 60 in 1991 to 75 in 1999; the corresponding figure for rural areas is 50 pupils per teacher;
  3 - The number of girls of school age has increased to 157 000 as a result of the phenomenon of emigration and return; the returning emigrants have brought 28 000 children with them;
  4 – Social services are unable to deal with the problems arising from the returning emigrant workers. In particular, only 40 centres are available in the context of social development programmes;
  5 – Welfare services cannot cope with the problems arising from the return of the emigrant workers; indeed, they have effectively ceased to be available, owing to a variety of economic and social factors.
  6 – Returning emigrant women and their families have also been affected by Yemen's deteriorating health care services, increasing poverty and malnutrition, and the spread of contagious diseases, especially among squatters living in makeshift housing.

- **Disabled women**

There are no precise statistical indicators on numbers of disabled women and girls in Yemen, nor, indeed, on disabled persons in general. As far as can be gathered from surveys, publications and reports, there are 36 852 disabled women out of a total of 78 461 disabled persons, i.e. women account for 47 per cent of Yemen's disabled and men for 53 per cent. Ninety-five per cent of disabled women are illiterate. Rehabilitation projects in the Governorates of Aden, Lahej, Abyan, Ta'iz and Ibb are working with a total of 1 032 disabled children.

The State has established two centres for the care of disabled persons in the Governorates of Aden and Sana'a. These centres serve persons who are blind, deaf or dumb. Some of them are entitled to stipends of 500 rials monthly, a sum which does not even cover their transport needs. There is a centre for people who need artificial limbs, but it relies on local industries whose products are not always satisfactory. They are also expensive: an artificial limb may cost 5 000 rials or more, depending on the type of limb.

- **The National Strategy and Plan of Action for the Care of Disabled Persons**

Neither the National Strategy and Plan of Action for the Care of Disabled Persons nor governmental and non-governmental projects have taken the needs of disabled women adequately into account in terms of care, rehabilitation and integration into society. Disabled women have not been offered opportunities for education, training or skills development. Furthermore, they continue to be confronted with obstacles of every kind, as in the matter of access to buildings, as well as social, cultural and psychological barriers. What is needed is training for women and girls as specialized technicians in the fields of care of the disabled, special education, skills development and vocational training. Low-cost medical services should be made available and/or expanded in both rural and urban areas. Disabled women should be guaranteed the services of helpers and should be provided with mechanical and other devices that minimize the impact of their disabilities and help them perform household tasks. Awareness campaigns targeting the families of disabled women and society at large would also be useful.

Problems of disabled women

In general, disabled women have not been able to rely on their families for health care, as disabled men have. As a result, they are subject to a host of disorders, such as inflammations of the genital tract, curvature of the spine and atrophy of the muscles, which intensify their suffering and cause their health to deteriorate. A woman with a motor disability can seldom hope to marry; depending on the type of disability she has, if she does marry, her husband is likely to be a disabled man who will expect her to serve him. A disabled man, in contrast, will seek to marry an able-bodied woman who will look after him and bear him healthy children. Elderly disabled women cannot hope to be adequately looked after by their families, as neither family nor society accepts them, nor can they expect care and rehabilitation services that are appropriate in terms of their type of disability and their age. Their motor or sensory disabilities thus become aggravated by the addition of a psychological disability, and they find themselves living in complete isolation from society.

There are numerous associations in Yemen that are concerned with disability-related issues. Perhaps the most noteworthy of these is the *Al-Tahaddi* Association for the Care of Disabled Women, which was founded in 1998. However, it needs support and assistance for its services to disabled girls and women, and to that end it is seeking to join forces with other organizations and associations in developing programmes and projects in the areas of rehabilitation, training, awareness generation, culture and guidance. The Association's aim is to put an end to all forms of discriminatory practices that disabled women have to face.

- **The Law on the Care and Rehabilitation of Disabled Persons (Law No. 61 of 1999)**

This law seeks to address the issues of the rehabilitation and employment of disabled persons. Article 4 of the law states, "Every disabled person is entitled to vocational rehabilitation services and social care provided by specialized institutions and centres." Articles 15-24 are concerned with issues relating to the employment of disabled persons.

Article 5

Women and men and stereotyped roles

Cultural or traditional practices that impede the advancement of women in Yemeni society

The system of traditional social and cultural values and practices that is part of Yemen's heritage continues to exert its effects today. Unfortunately, that system tends to regard women as beings of lesser ability than men, and the result is a gender gap in the political, economic, social and cultural spheres. For that reason, women have not contributed very meaningfully to the process of social development, despite the fact that the country's laws, based on the Islamic *Shari'ah*, guarantee full human rights for women.

The most salient phenomena that affect the situation of women and their participation in the development process are as follows:

1. A low level of social awareness;
2. Economic dependence on men;
3. The distinction that is drawn between women and men. Yemeni society persists in defining women's role in terms of procreation exclusively, and this has tended to consolidate male dominance, with the result that the burden borne by women is made all the heavier in a context of changing economic and social roles;
4. Early marriage. There is a high incidence of early marriage among Yemeni women, owing to custom and tradition.

There are also various economic, social, cultural and environmental pressures that have had an adverse impact on the status of Yemeni women. These include:

- Limited school attendance by girls at the primary, secondary and university levels;
- A tendency for girls to drop out of school
- Poor health conditions that put women's lives at risk;
- Social disruption resulting from divorce-related issues;
- The hazards of child-rearing, resulting from early marriage.

The role of Islam in the advancement of women

Islam has defined the position and responsibilities of women within a system of human values. The Koran states, "Believing men and believing women are each other's guardians, recommending that which is righteous and enjoining from that which is evil" (*al-Tawbah*, v. 71). As will be seen from this passage, Islam treats men and women as equal in terms of rights, duties and public responsibilities. A woman has the right to choose and to decide in the matter of her marriage, and she has the right to dissolve the marriage if she declares herself independent of her husband, or if she can produce evidence that her husband is unable to perform his duties adequately. A woman also has the right to seek a divorce if she decides that there is no way for her and her husband to continue their married life. In addition, she has the right to limit the size of her family. A husband must secure his wife's consent if he wishes to separate from her. A woman is not restricted to a role as a mother and housekeeper; Islam allows her to enjoy an independent economic personality, with full freedom and legal competence to engage in commercial transactions, agriculture and stock-raising, and all activities of family and social life. In the political sphere, women may engage in all kinds of work; there is nothing to prevent a woman from becoming a doctor, teacher, judge or legal expert. Neither her family nor her husband may stand in her way or deny her in any way against her will. The Koran is again relevant: it says "Do not covet those things in which God has bestowed His gifts more freely on some of you than on others; to men is allotted what they earn, and to women is allotted what they earn." (*al-Nisa'*, v. 32).

Equality and non-discrimination between men and women in respect of rights are enshrined in Yemen's laws and public policy. Under Article 31 of the 1994 Constitution, as amended in 2001, "Women and men are sister and brothers, enjoying the same rights and subject to the same responsibilities in accordance with the provisions of the *Shari'ah* and the law." Article 42 guarantees the right of all citizens to participate in the country's political, economic, social and cultural affairs.

In Yemen, both men and women have various economic, social, cultural and environmental roles to play. Some functions belong exclusively to women in their capacity as mothers and housekeepers. In rural areas, they also gather firewood, carry water and do farm work. These are unpaid tasks which are deemed, from a social standpoint, to be non-economic in nature, and thus they do not constitute work in the same sense as the work performed by the labour force.

Public works have been a major contributing factor in the advancement of Yemeni women and their evolving roles in society. According to the 1999 labour force survey, however, women accounted for only 23.7 per cent of all those employed on public works in that year; this is a very small figure compared with the corresponding figure for men so employed.

The distribution of roles between men and women in Yemen is affected by many factors, including the weight of history. According to the results of the 1994 census, 71.9 per cent of all Yemeni women work in the context of the household, compared to 9.5 per cent of Yemeni men. In this connection, it is important to realize that men have more decision-making power than women, and this is a significant aspect of male dominance in the matter of resource use and disposal of the family income. The needs of men and women in society are different, and consequently it is essential for those needs to be defined and priorities set. It is basically the responsibility of those who use the data and statistical indicators and public policy makers to ensure that these factors are taken into account in the process of development planning.

Seventy per cent of all caregivers are women in the 15-44 age group, a figure that clearly shows how much time and effort women devote to this important matter. Women account for 21.8 per cent of the total labour force. This low figure is attributable to the fact that in Yemeni society, most women are housekeepers. In urban areas, women represent 11.5 per cent of the labour force, while in rural areas the corresponding figure is 25.5. This disparity is due to the fact that in rural areas, women do much of the agricultural work, accounting for 87.24 per cent of the total farm labour force in 1999. As regards the distribution of economically active persons by work status, in urban areas, the majority of both men and women engage in paid employment, whereas in rural areas, most women either perform household tasks within their own family context without pay, or perform the same kind of tasks for some other family for pay, while all employment for men is paid employment.

It is thus clear that the status of women is not satisfactory in various respects, and in particular with respect to women's ability to defend their basic rights as human beings and their right to share on a partnership basis in rights, obligations and responsibilities and hold positions, thereby strengthening their role in the family and in society.

The roles of men and women in society: aspirations for the future

The roles assigned to both women and men are contingent on an array of standards, factors and considerations, of which the following are some of the most important:

- The adoption of positive social values and standards that will contribute to the advancement of women and their situation within the family and in society. Public opinion should be encouraged to support women's issues from an advanced social perspective with a view to making progress toward these ends;
- Promotion of a positive change in the attitudes of both women and men, and elimination of the restrictive view of women as housekeepers and child-raisers exclusively;
- More educational opportunities for girls as well as boys, through the development of awareness of the importance of educating girls as a means of attaining a higher level of awareness within the family and in society in general;
- Action to intensify awareness campaigns and educate families and society about issues of concern to both men and women, with emphasis on their complementary roles in all areas of life;
- More opportunities for women in the fields of education, training, skills development and employment as a means of enabling them to accede to decision-making posts;
- A new emphasis in the media on the changing roles of men and women in society and within the family, and acceptance of women in leadership positions in public life and in politics and the professions, not to downgrade the position of men, but to ensure that women participate fully in the life of the family and of society;
- Support for governmental and non-governmental organizations working for gender mainstreaming, to ensure that they can continue with their efforts with a view to laying the groundwork in preparation for a supportive climate for women's issues and a positive outlook and orientation in that connection;
- A comprehensive awareness of the family, including awareness of the importance of forging links within the family and eliminating comparisons between boys and girls that reflect negatively on the latter and weaken the role and position of women in family life and public life, as well as restricting their opportunities of participating actively in the various areas of social activity.

Measures taken to date to change social and cultural patterns

The Government was well aware of the need to change the roles and position of women, realizing as it did that the existing situation would have to be altered so that future challenges could be successfully met. It therefore prepared the Population Plan of Action of 1996, which was approved by the National Population Council on 14 July 1997 and by the Council of Ministers on 30 September 1997, and which was subsequently extended and updated by the National Population Policy for 2001-2025. These instruments are designed to empower women, to advance their social, economic and political situation, and to enhance their ability to participate in decision-making at all levels. To that end, a number of objectives have been formulated and various measures taken, including the following:

Objectives

- Equality and fairness based on harmonious participation by men and women in all areas of family and social life in the light of the provisions of the Islamic *Shari'ah*;

- Enhancement of women's contributions to sustainable development through full participation in policy development and decision-making and sharing in all aspects of production, both contributing and enjoying a share of the benefits;

- Educational opportunities for women to enable them to meet their basic needs;

- Utilization of women's abilities to the fullest extent as a means of fostering their self-confidence and confidence in their capabilities, beginning in childhood.

Measures

- Planning and implementation of information programmes designed to enhance both men's and women's awareness of the importance of building a positive value system featuring just treatment for women and fuller participation by women in development;

- Establishment of the necessary mechanisms to ensure that women are able to participate equally and be fairly represented at all levels in political and public life;

- Organization of a national literacy campaign aimed expressly at women in the context of the overall national literacy campaign;

- Support for the enactment and enforcement of laws and regulations aimed at enabling women to play an active role in society alongside their roles as mothers and wives;

- Enrichment of school curricula and awareness programmes by the addition of subjects that will help instil a positive view of girls and women in the minds of all members of society, beginning in the early years of life, along with an understanding of the concept of shared responsibilities in all areas of family life;

- Action to make women aware of their rights under the country's legislation, especially the Law of Personal Status, with a view to changing attitudes and addressing the issue of a society that regards women as defective and not fully competent.

The image of women in school textbooks and the media

Yemen's information policy has defined a number of working orientations with respect to women's issues. These include an effort to present a more positive image of women in school textbooks and the media with a view to rectifying concepts relating to gender roles, in accordance with the changes currently taking place in society, which the information policy is designed to reflect. An information strategy has been developed to ensure that women's issues are handled from a gender perspective in the media. Particular attention is being devoted to school textbooks, which will discuss the roles of men and women objectively and in a manner that reflects social reality, with a view to creating a culture with a gender perspective, putting an end to discrimination and changing children's concepts about the social, economic and cultural roles played by men and women. To this end, a curriculum development project is being developed. However, more must be done along these lines, as it is essential to:

- Change the prevailing mental and cultural climate concerning the roles of women and men as a prerequisite for altering attitudes and preconceptions;

- Analyse gender issues and gather data with a view to investigating the subject of discrimination with sensitivity and transparency; this will facilitate the task of selecting informational materials aimed at reformulating social and intellectual values along lines consistent with the new realities;

- Ensure that the media deal with women's issues, discuss the extent and causes of the problem, stimulate public interaction for the development of appropriate solutions to help close the gender gap, present a realistic and impartial picture of women and the roles played by men and women, and initiate a positive dialogue in an effort to instil positive concepts and values that will generate sound intellectual and social development;

- Promote co-ordination among the various media with a view to unifying all efforts aimed at enhancing the status of women and highlighting the importance of their participation in family and social life;

- Ensure that the media present family and social guidance programming designed to disseminate family education concepts relating to mother and child health, family planning and reproductive health, along with new concepts relating to the changing functions and roles of women and men based on the principle of partnership and co-operation.

Efforts to end stereotyping in the definition of the roles of women and men

The Government, represented by its agencies that are concerned with women's issues, is working alongside non-governmental organizations to draft policies, programs, plans and projects and to develop field studies designed to heighten awareness of gender mainstreaming issues. Its aim is to plan for and analyse those issues from a perspective that takes gender needs and differences into account in the execution of all its plans and projects. Activities of this kind are prominent among the Government's concerns and are an important aspect of its future orientations, and they have also attracted the favourable attention of international donor organizations that support projects for the advancement of women in Yemen. Among the most significant efforts in this area have been the following:

- Preparation of a national report on women and men in Yemen (a statistical picture) by the Central Statistics Organization in collaboration with ESCWA. The report seeks to present a clear and objective picture of the roles and situations of women and men in the light of statistical indicators and quantitative data.

- Preparation of a yearly national report on the status of women by the Women's National Committee. The report reflects the situation of women compared to that of men in all areas.

- Action to heighten awareness of the roles of both women and men in Yemeni society, identify gender gaps, notably with respect to posts in decision-making centres, highlight the need to adopt reforms in the area of policies, and gather, publish and analyse accurate information and data.

- Implementation of the Post-Beijing Phase II project, especially programmes on gender mainstreaming, a training programme on gender issue planning, participation in training programmes abroad on analysis of gender mainstreaming issues, and measures designed to address gender gaps.

Many programmes and activities are currently being implemented, and planning for the implementation of others in the future is going forward, with a view to addressing issues relating to the elimination of stereotyping. This is something that is rooted in inadequate social awareness of the actual roles and needs of women and men. Consequently, it is essential to enhance awareness, not only formally but at the popular level, of the importance of eliminating all traditional cultural practices based on stereotyped views of the roles of women and men.

Population policies

Yemen's National Population Policy for 2001-2025 includes a Programme of Action which features the theme of justice, equity and empowerment for women. In this connection, the Programme of Action seeks to resolve the ambiguities associated with earlier strategic objectives and to address the issues of the gender gap in the fields of education, health and employment and the low level of participation by women in political and economic life. The Programme of Action seeks to enhance women's roles in the family and in society.

As the Programme of Action notes, there are numerous statutes in Yemen that provide for justice and equity between the sexes and the empowerment of women, but there have too often been gaps and shortcomings in the application of these statutory provisions, with the result that women still find it difficult to obtain an education, find employment opportunities or accede to decision-making posts. Habit, tradition and social and cultural custom continue to cast their shadow, constituting obstacles to equality between the sexes in the area of rights and obligations.

The empowerment and the cultural, social, economic and political advancement of women are still contingent on the development of their capabilities, the enhancement of their family and social roles, and greater participation by them in decision-making.

Accordingly, the effective application of these policies will require understanding and awareness of the negative socio-cultural heritage that constitutes an obstacle to justice for women, and a sustained effort to break with that heritage. Women must be given fuller access to services and basic rights. This will lead gradually to a narrowing of the gender gap.

Enshrining as it does the Government's commitment to achieving justice and equity between the sexes and the empowerment of women, and to maintaining the momentum for change that has built up in recent years, the Population Programme of Action for 2001-2005 sets forth the following objectives:

1. Attainment of a substantial degree of equality and justice by narrowing the gender gap in the fields of education, employment and other social services, and by overhauling laws and regulations that are not consistent with the principle of equality and justice. Customs and traditions that have a negative impact on the family and society should be discarded, and to that end the following measures are contemplated:

- Raising school enrolment rates for girls at the primary, secondary and university levels;
- Combating the phenomenon of girls dropping out of school, especially at the primary level, by dealing with the root causes of that phenomenon and involving families and society in general in all aspects of the effort;
- Increasing the capacity of girls' schools;
- Encouraging girls to enrol in technical and vocational courses and to expand the availability of such courses insofar as possible;
- Extending literacy activities for girls, and instituting adult education classes for women in areas near their homes;
- Reducing tuition fees for girls, and eliminating them altogether for girls from poor families, especially in rural areas;
- Reviewing and amending laws and regulations that are inconsistent with equal access by women to employment commensurate with their abilities and the enjoyment of all their rights, and eliminating discriminatory practices;
- Ongoing action to achieve justice and equality of opportunity between men and women in the preparation and implementation of developmental programmes and activities;
- Ongoing use of the media to foster awareness and spread information in an effort to change attitudes and orientations that have a harmful, negative impact on the principle of justice and equity.

2. Fuller participation by women in social, economic, environmental and cultural activities with a view to changing situations and attitudes that have a negative and harmful impact on the principle of justice and equity. To that end, the following measures are contemplated:

- Ensuring that women have access to basic services in the fields of education, health, employment and environmental services;
- Working to narrow the gender gap by continuing to take action to enable women to benefit from these services and to participate in administering them;

- Enhancing the economic status of women by promoting women's employment, integrating low-income women into productive programs and projects, establishing new training and skills development centres and expanding and developing existing ones;

- Making services, facilities and benefits available with a view to encouraging women to establish their own businesses, and supporting women entrepreneurs by making it easier for them to obtain credit and loans from financial institutions on favourable terms;

- Encouraging women to establish production and marketing co-operatives as a means of improving their living conditions and increasing their self-reliance.

3. Development of women's capabilities and aptitudes, enhancing their social, economic and political status and strengthening their ability to participate in decision-making at all levels. To that end, the following measures are contemplated:

- Upgrading women's qualifications, eliminating barriers to their participation in political life, and ensuring that they are better represented in senior posts in legislative and executive bodies, political parties and the institutions of civil society;

- Devoting efforts and resources to the task of reducing disparities and narrowing the gender gap in order to attain greater participation by women in development;

- Encouraging participation by women in political parties and organizations and trade unions.

The function of the head of a family in law and custom

Yemen's dominant system of values and customs, which is more powerful than the law, regards the man as playing the influential, active role in the family and acting as its head, in accordance with standards, customs and traditions that have retained their hold in both rural and urban areas. However, the prevalence of this system does not mean that Yemeni women cannot be heads of families. Indeed, they sometimes must bear that burden in full, when the man of the household has emigrated or died. For the country as a whole, 12.8 per cent of all families are headed by women. For urban areas, the percentage is slightly lower at 11.6 per cent. These families consist of 10 or more members on average. Families headed by men account for 78.3 per cent of the total in urban areas, and for 89.7 per cent of the total in rural areas. This phenomenon is probably due to internal migration or emigration in search of work or education.

Table showing households by sex of head of family, urban and rural areas

Area	Woman head of household (%)	Man head of household (%)	Total (%)
Urban	10.2	89.8	100
Rural	13.6	86.4	100
Total	12.8	87.2	100

Fifteen per cent of all Yemeni women live alone, with no families, compared to 2.5 per cent of Yemeni men. Many of these women are widows or divorcees, and their situation is attributable to the fact that under Yemeni custom and tradition, they do not control decisions affecting their marriages, in contrast to men. The number of women living alone is 11.2 per cent in urban areas. More than 18 per cent of all families headed by a women in urban areas comprise 10 or more members.

Occupations from which women are excluded

Under the law, there are no occupations from which women are excluded. However, the prevalent custom of the country regards some occupations as not suitable for women. These include carpentry, metalworking and stonemasonry, all trades that require considerable bodily strength. Most women who work keep livestock or engage in agriculture; few practice other occupations. As will be seen from the table below, women account for a much smaller proportion of workers in most economic sectors than men. As a result, women play no great role in decision-making, whereas men have much greater latitude in that respect, thanks to their much greater representation in positions of authority.

Participation by women and men in various economic sectors

Sector	Women (%)	Men (%)
Teaching	17.3	92.7
Economic sector	1	99
Judiciary	13.5	86.5
Law	2.6	97.4
Social sector	31.0	69.0
Politics	6.0	94.0
Chamber of Deputies	0.7	99.3

Expectations of sons and daughters concerning their respective roles in the family and in society

The translation of expectations into reality must depend on a number of considerations and circumstances that can prepare young people of both sexes to revise traditional negative views about the roles of men and women within the family. To that end, the Government's general policy makes provision for the following measures:

- Incorporation of the changing roles of men and women in general family life as a concept in population education projects;

- Attention to gender mainstreaming issues in family and rural development strategies, policies, programmes and projects, and incorporation of a gender perspective in the Ministry of Agriculture's population education project;

- Action to encourage Government agencies concerned with men's and women's issues to establish special units for gender mainstreaming issues. The function of these units would be to heighten awareness of the roles and responsibilities of women and men in family life and public life, with a view to promoting participation by women in decision-making and enlisting active contributions from both sexes in the formulation of general strategies and policies, project planning, and data gathering and analysis;

- Action to encourage the institutions of civil society, especially those that are concerned with the welfare of mothers and children, family associations and charitable organizations, to promote concepts of sound child-raising within the family and in society, from a perspective that takes into account the needs of gender mainstreaming at all levels;

Responsibility for the care of children

In Yemen, responsibility for the care of children belongs to the family and to social child-care institutions, whose services are regarded as an extension of the care, guidance and upbringing provided by the family. However, the State provides for children who are deprived of the care of a family through various institutions, including the following:

- homes for young offenders;
- foster homes;
- kindergartens;
- educational and cultural institutions;
- educational and cultural activities and programmes;
- services for the care of handicapped and socially marginalized children;
- initiatives for enlightened action in the area of care for street children.

We may note at this point that the Government of Yemen has drafted a Law on the Rights of Children which is consistent with the provisions of the United Nations Convention and the Arab Declaration on the Rights of the Child.

Once this Law has been duly adopted and promulgated, it will significantly improve the situation of children in Yemen.

Child Assistance and Care Programme

In Yemen, there are many benefits available to families, especially married women, widows with children, divorced women with children, abandoned wives, the wives of men in prison and the wives of men who are mentally ill. A woman in any of these categories is entitled to a monthly stipend in the amount of up to 2 000 rials under the Social Welfare Law, which has been overhauled and amended to cover a number of formerly excluded groups, such as dependent children, unmarried persons or unemployed persons. The Law is particularly concerned with widows with minor children, divorced women with children, and women who are poor or destitute.

Numbers of married women, widows, divorced women and other women with dependent children who receive social welfare benefits

Widows with children	Divorced with children	Head of family absent or dead	Head of family in prison	Total
85 907	9630	605	31	96 173

In all, 153 477 women heads of families are receiving social welfare benefits under the Social Welfare Law (Law No. 21 of 1996) and amendments thereto. Under that Law, a woman who has no one to provide for her and who must bear the whole burden of responsibility for bringing up her children is entitled to a stipend, paid out of a special fund known as the Social Welfare Fund.

Numbers of women in other categories who receive social welfare benefits

Widows without children	Divorced without children	Unmarried	Total
43 886	8 311	5 107	57 304

These figures, which may fluctuate, say nothing about the amount of the benefits provided by the Fund; they show only the numbers of women whose applications for benefit have been approved. In point of fact, the Fund's level of coverage and service quality are not satisfactory; there should be many more people drawing benefits, especially women who have young children to provide for. An adequate social welfare system would constitute an important contribution to these women's family and social stability and security, and a means of helping them to lead a life of dignity by providing for their basic needs.

A non-discriminatory focus on the roles played by both sexes from their early years, action to correct the existing stereotyped view of a girl's role and the inculcation of social concepts and values from a gender perspective, all these will add up to a substantial contribution to the task of reformulating social values along new lines that are consistent with our positive values and customs based on the Islamic *Shari'ah*. As will be seen, then, we are addressing the various issues that are of concern to women's institutions and working to advance the various projects aimed at implementing the findings of gender-oriented studies and research, together with consciousness-raising and educational programmes designed to further the attainment of that objective.

Services for young offenders and orphans

In Yemen, young offenders are entitled to receive social, educational and psychological services through a system of social guidance homes providing them with basic care, where they can engage in various activities designed to reform and reorient them, where they are provided with health care and an adequate diet, and where they have access to skills development courses, vocational training, and cultural and recreational activities.

However, this system of social guidance homes for young offenders is not yet fully operational, and consequently special sections in penal institutions are used to accommodate them. These are completely separate from the buildings where the adult inmates are kept. Unfortunately, the social and educational facilities required for adequate interaction with young offenders are not available in penal institutions, and consequently the whole issue of the accommodation of young offenders in such institutions is in need of review and reconsideration. In due course they must be transferred to social guidance homes where they can be rehabilitated, in accordance with the provisions of the Young Offenders Law.

At the present time, Yemen has four social guidance homes for young offenders, located in Sana'a, Ta'iz, Hodeida and Ibb. The services provided by these homes are for boys only; there are no comparable homes for female young offenders. This situation has prompted the Ministry of Social Welfare to include in its current two-year plan funding for the construction of two social guidance homes for girls, thereby correcting a deficiency in the service as it stands at present and making it available to both sexes without discrimination.

Young offenders are classified and dealt with on the basis of their age and type of offence. The penalties to which they are liable are defined in the Young Offenders Law, which includes sections on deviation and exposure to deviation. The Law specifies that they are to be given skills training that will enable them to become rehabilitated and re-enter society in accordance with the principle of social adaptation. They are also to be offered opportunities for appropriate employment once they have served their sentences in correctional-educational institutions.

Concurrently, non-governmental institutions have begun to devote some attention to the issue of services for young people and orphans. A number of institutions have been built expressly to provide services for persons in that category, supplementing the Government's institutions.

Centre for persons with special needs in Sana'a

This institution provides education and vocational training for disabled children, based on curricula approved by the Ministry of Education. The Centre teaches sign language and lip-reading, and it runs a variety of cultural and social programmes and activities, including sports competitions, scientific and recreational outings, reading in the school library and video films for children. The Centre concentrates on such trades skills as carpentry, upholstery, knitting, men's and women's tailoring, and computer science. The Centre has 377 students, men and women taken together.

Centre for persons with special needs in Aden

This Centre offers skills development services for mobility-impaired persons in many fields, including secretarial work, carpentry, the making of artificial limbs, various kinds of sewing, shoemaking and leatherwork. Exhibitions of students' products are organized from time to time. In addition, the Centre runs literacy courses for disabled people, notably those who are deaf and dumb. It serves a total of 58 students, including both males and females.

Al-Nur Centre for the Blind in Sana'a

This educational centre accommodates 120 students in all, including both males and females.

Centre for the blind in Aden

This Centre accommodates 60 persons. It comprises two sections: an academic education section and a vocational training section. The latter provides training in manual crafts such as basketry.

Hadramaut Centre for the Blind

This Centre is also divided into an academic section and a vocational section. It accommodates a total of 75 students.

Ta'iz Centre for the Disabled (deaf and dumb)

At this centre, students are taught to communicate by sign language. The Centre has some 800 students, both boys and girls.

The Zabid Centre for the Deaf and Dumb

This Centre provides training in communication by means of sign language both for children and for adult students. It has approximately 45 students in all, both male and female.

Care and rehabilitation projects for disabled persons

Yemen has a community-based rehabilitation program which provides training services at both the local and national levels. This is one of several new strategies for working with disabled persons. Community-based rehabilitation, in the broad sense, includes active, comprehensive involvement by all bodies concerned with the disabled: the Ministry of Health, the Ministry of Education, the Ministry of Social Affairs and the Ministry of Labour.

Community-based rehabilitation projects in the Governorates of Aden, Lahej, Ta'iz, Abyan and Ibb

- Aden Governorate: rehabilitation and training for 360 disabled children.
- Lahej Governorate: rehabilitation and training for 287 disabled children up to 18 years of age.
- Ta'iz Governorate: rehabilitation and training for 266 disabled children. These programmes are shortly to be extended to other regions, including Hajda, Ramada and Hajez, and 21 workers have been trained for that purpose.
- Abyan Governorate: rehabilitation and training for 290 disabled children.
- Ibb Governorate: rehabilitation and training for 193 disabled children.

Early home intervention project

This is a project that was initiated in 1993, with assistance from the Arab Council for Children and support from the Government of Yemen. However, it has been suspended because of a lack of qualified training personnel and a shortage of funds. While it was operational, it provided services to 56 disabled children, both boys and girls.

Project to provide support for the Sana'a and Aden Centres

The initial phase of this project is aimed at extending community-based rehabilitation to periurban areas such as Thula. The numbers of disabled children in that area are currently being determined as a preliminary measure designed to enable the local community to work alongside the central Government in providing rehabilitation services. Appropriate facilities are currently being equipped, and the necessary supplies are being made available.

Article 6

Trafficking in women and exploitation of the prostitution of women

In considering the social situation with respect to prostitution in an Islamic country like Yemen, there are two important aspects that must be taken into account, namely the religious aspect and the social aspect.

It is these two aspects that underlie and define the issue of prostitution in the social context. From a religious standpoint, the Islamic *Shari'ah*, which regulates social conduct, unequivocally prohibits all forms of prostitution and anything designed to entice individuals to prostitution or make it appear attractive. This is an outgrowth of the Islamic law's consistent emphasis on virtuous behaviour and its concern to strengthen the family, the basis of which is virtuous behaviour. The *Shari'ah* regulates sexual relations between men and women within the institution of marriage, the purpose of which is to provide a legal context for the satisfaction of sexual desire and ensure the continuation of life and the survival of the human species.

The social aspect, for its part, is entirely consistent with the religious aspect. Thus, for example, we find that social custom, practice and tradition condemn prostitution and support virtuous behaviour in the form of a family life based on mutual respect between man and woman and organized in accordance with the precepts of the *Shari'ah*. This has implications for such matters as:

(a) The role of the family in the rearing and education of children;
(b) The role of the school; and
(c) The role of society in general.

In brief, all these aspects concur in regarding virtue as desirable and vice as abhorrent, and tend to inculcate a system of values such that families and society in general are organized along Islamic lines. Individuals, whether men or women, are encouraged to acquire the values, customs and traditions of an Islamic society and to internalize the principles of the Islamic *Shari'ah*. Consequently, a Yemeni rejects anything that stains his or her honour, whether prostitution or any other form of vice, because from childhood he or she has been brought up to aspire to a social life characterized by equality and respect in both religious and social terms. Exceptions may occur, but in general, virtue is regarded as desirable and vice as abhorrent. This is not to say that vice, in the form of prostitution, rape and the like, does not exist in Yemeni society, but trafficking in women and exploitation of the prostitution of women are deemed unacceptable, and are punishable under the country's criminal laws, which are based on the Islamic *Shari'ah*, and are also condemned by the customs and usages of society.

In Yemen, there are no statutes of any kind that regulate or permit trafficking in women or exploitation of the prostitution of women. This is attributable to the country's religious and social context, which condemns and rejects all such evils, degrading as they are to women's dignity as human beings. Trafficking in women and exploitation of the prostitution of women violate the human rights of the women concerned. Yemeni society approves an orderly family life through marriage. Prostitution, including the prostitution of minors, is unlawful under all circumstances, as will be apparent from the foregoing discussion. Under Part XI, Chapter 4 of the Criminal Code (Law No. 12 of 1994), which deals with adultery, rape and the corruption of morals, prostitution is a criminal offence. Article 277 of the Code defines prostitution in the following terms:

"Prostitution is the committing of an act that is dishonourable and contravenes the *Shari'ah* for the purpose of corrupting the morals of another person or for gain."

Article 278 of the Code states, "Every person who commits an act of prostitution shall be liable to a term of imprisonment of not more than three years or a fine."

Under Article 281 of the Code, brothel-keeping is a criminal offence. That Article states, "Every person who keeps a common bawdy house or place of prostitution shall be liable to a term of imprisonment not exceeding ten years, and every such common bawdy house or place of prostitution shall be closed for a period of not more than two years, and all the furnishings, fittings and other items found therein while the premises were in use as a common bawdy house or place of prostitution shall be confiscated."

Article 279 goes even further, making soliciting for purposes of prostitution a criminal offence as well. That article states, "Every person who solicits another person for purposes of prostitution shall be liable to a term of imprisonment not exceeding three years. Where an act of prostitution is committed as a result of such soliciting, the penalty shall be a term of imprisonment not exceeding seven years. Where the person so solicited is a minor under 15 years of age, or where the person who engages in such soliciting makes his or her living from the avails of prostitution, the penalty shall be a term of imprisonment not exceeding 15 years. Where the person who engages in such soliciting also engages in acts of prostitution, the penalty shall be a term of imprisonment not exceeding 15 years."

As will be apparent from the foregoing discussion, the promotion of sexual services is non-existent in Yemen, since it is incompatible with the country's religion, society and laws, all of which condemn trafficking in women and exploitation of the prostitution of women. It follows that the promotion of sexual services by any means, direct or indirect, is prohibited. Furthermore, it is unlawful in Yemen to sell women for purposes of sexual exploitation, in accordance with the Islamic *Shari'ah*, which prohibits human slavery. Under Yemeni law, slavery for any purpose is a crime; Article 248 of the Criminal Code (Law No. 12 of 1994) states, "Every person who buys, sells, gives away or otherwise treats a human being as assignable property, and every person who brings a human being into the country or removes a human being therefrom for purposes of treating him or her as assignable property, shall be liable to punishment by a term of imprisonment not exceeding ten years." The position of Yemeni society in this matter, as expressed in its laws, its social values and in the fundamental features and principles of the *Shari'ah*, is not only a product of the conventions and other international instruments to which Yemen is a signatory, it is also a product of the Islamic religion and the social customs that have developed in the course of the country's history.

Article 7

Political and public life

Yemen's second five-year plan calls for participation by women in politics as an important factor in the country's political development and evolution. Accordingly, it is essential, during the next few years, to strive to create a climate conducive to a more prominent role for women in public life and society and more women in leadership positions, by encouraging and enabling women to exercise all the legal, social and political rights to which they are entitled under the Constitution, most notably the right to stand for election and the right to vote.

Participation by women in the political and legal spheres has been facilitated by the General Elections Law, which granted them the right to participate in referendums, to stand for election, to vote and to belong to political parties. Since the adoption of that Law, women have voted alongside men in the three constitutional referendums that have been held, in 1991, 1994 and 2001, and they have also shared in the tasks of organizing and overseeing elections. In 1993, a High Council on Elections, which included one woman, was established by executive order. Subsequently, women's monitoring committees have been established for the purpose of monitoring elections, with the same mandate as the men's committees established for that purpose. Women served on the central committees and local committees in the various electoral districts in the parliamentary elections that were held in 1993 and 1997, and women also exercised their right to vote and to stand as candidates at those elections. This represented a major step forward in terms of percentage participation by women, greater awareness, and the enrolment of women on voters' lists, as will be seen from the tables below.

Numbers of registered voters compared to total population, 1993 and 1997 elections

Registered voters, 1993 elections				Registered voters, 1997 elections			
Men	%	Women	%	Men	%	Women	%
2 209 944	82	478 790	18	3 364 796	73	1 272 073	27
	Total:	2 688 734			Total:	4 636 796	

Membership of electoral monitoring committees, by sex

Year	1993-present		1993-present		1993-present	
Committee	Men	Women	Men	Women	Men	Women
Monitoring committees	53	1	54	-	59	1
Central committees	903	-	903	-	902	1
Local committees	6051	5148	-	-	6051	5148

As the above table shows, the percentage of women enrolled on voters' lists at the 1993 elections was approximately 18 per cent of the total number of voters enrolled. This is a low figure by comparison with the number of male voters enrolled on the lists. However, it is important to bear in mind that this was the first time that women had taken part in the electoral process. At the 1997 elections, the percentage of women enrolled on voters' lists was 27 per cent, a noteworthy increase in participation by women.

Local elections

Yemen has recently embarked on a process of administrative decentralization, establishing local authorities, in the form of district and Governorate assemblies, on an experimental basis. Elections for these local assemblies were held for the first time in February 2001, and women participated in them, no less than in other elections, not merely as voters, but as candidates for election to seats in district and Governorate assemblies.

In all, there were 125 women candidates, of whom 30 were elected to seats in district assemblies and five to seats in Governorate assemblies. To be sure, the numbers of women members of both levels of local assembly are small in the light of the fact that they constitute half the population, but this was an important step forward for women none the less: they asserted their presence as elected representatives and as participants in local authorities. In addition, two women have recently been appointed to the country's Consultative Assembly.

The table below presents a summary of the numbers of women candidates at the 1993 and 1997 parliamentary elections.

Numbers and respective percentages of men and women candidates, 1993 and 1997 elections

Year	1993				1997			
	Men	%	Women	%	Men	%	Women	%
Type of candidate								
Party candidates	1198	98.6	17	1.4	717	98.8	9	1.2
Independent candidates	1942	98.8	24	1.2	1453	99.5	7	0.05
Total	3140	98.7	41	1.3	2170	99.3	16	0.07

Source: High Council on Elections

As will be seen from this table, the percentage of women candidates was higher at the 1993 elections than at the 1997 elections; the figure declined by approximately 61 per cent in the course of the four-year interval between the two elections. The percentage of women party candidates declined by some 47 per cent over that period, while the corresponding figures for independent women candidates show a decline of 71 per cent. This downward trend in the numbers of women candidates seems to have been due mainly to the following factors:

- The fact that several parties which tended to encourage women to stand as candidates boycotted the 1997 elections;
- The fact that other parties were reluctant to include women in their lists of candidates on a variety of social, cultural or ideological grounds;
- The fact that electoral campaigns involve conditions and other factors which are difficult for women.

In all, the 1993 and 1997 elections resulted in only two women members of the Chamber of Deputies, i.e. under 1 per cent (approximately 0.07 per cent, in fact) of the total of 301 members.

Monitoring of local elections

Women played a noteworthy role in the task of monitoring the elections for honesty, with the result that the local data announced by the People's High Committee for Election Monitoring were the most satisfactory ever for the country as a whole. The Committee had two women on its executive, including one who was the Assistant Secretary.

Women also held senior positions on the Electoral Monitoring Committee. In addition, the team responsible for assisting the international monitors included two women members. Their work was crucial to the fact that the team was able to perform its task successfully both locally and internationally. Thousands of women throughout Yemen participated in the monitoring of the 1993 and 1997 elections for honesty.

Membership of political parties

Despite the fact that no more than 36.8 per cent of all eligible women were enrolled on voters' lists, enough women participated in the elections to send a clear message to all political parties and organizations: democracy had turned women into a real political force that could not be ignored, and any political party or organization that did ignore women would do so at its peril.

Under the Law on Political Parties and Organizations, a new political party may be legally established only if a membership list containing the signatures of at least 2500 persons is submitted to the Committee on Political Parties and Organizations. The list submitted by the People's General Congress included the names of 37 women, that of the Yemeni Reform Assembly ("*Islah*") 20, that of the Baath Arab Socialist Party 78, that of the Democratic Nasserist Party 30, and the People's Nasserist Union Organization 48.

Article 41 of the 1994 Constitution, as subsequently amended (which, as we have seen, is based on the Islamic *Shari'ah*), states that all citizens are equal in respect of rights and duties. Article 42 states that every citizen has the right to participate in economic, social and cultural life, and that the State guarantees freedom of thought and expression, both verbal and in writing. In the context of the country's orientation toward democracy, and in accordance with the principle of political pluralism and the free functioning of many parties, the women of Yemen have unhesitatingly plunged into politics and now openly announce that they belong to this party or that.

The table below shows how many women have become members of political parties and organizations in Yemen.

Representation of women in leadership structures of political parties

Name of party	Men		Women	
	Number	%	Number	%
People's General Congress	19	95	1	5
Yemeni Reform Assembly	16	100		
Socialist Party of Yemen	25	86	4	16
Nasserist Union Organization	14	95	1	5
Baath Arab Socialist Party	2	100		
League Party	25	91	2	9
Truth Party	16	100		
Union of Popular Forces	7	100		
Democratic Nasserist Party	31	100		
Baath Arab National Party			1	
Yemeni League Party	3	100		

Source: Abdulhakim al-Sharjabi, *Strategic Report on Yemen, 2000*

As will be seen from this table, women are not extensively represented, either in absolute numbers or in percentage terms, in the leadership structures of Yemen's political parties. To date, no political party in Yemen has ever had a woman leader, secretary or deputy secretary.

Women are not very extensively represented at lower levels in political parties either. For example, there are only 35 women members of the standing committee of the People's General Congress, out of a total membership of 700; the Advisory Council of the Al-Islah Party includes only seven women members (elected in October 1998) out of a total membership of 160; the Socialist Party of Yemen has 13 women members, out of a total membership of 270, and the Nasserist Union Organization boasts four women members, out of a total membership of 74. The lower echelons of the other parties include no women at all, although some women are ordinary party members.

Representation of women in Government

Not one of the Governments formed since the September and October revolutions had included a woman in a ministerial position. The current Government, however, which took office in 2001, does include a woman Minister of State for Human Rights. Furthermore, the Public Social Insurance Institution is headed by a woman.

Yemen has evolved, albeit to a limited extent, in the direction of appointing women to leadership posts in the country's public administration; growing numbers of women occupy supervisory and specialized positions. In general, women are totally absent from senior positions, notably ministerial positions, with the exception of the one woman Minister who was appointed in 2001. In addition, one woman has been appointed to a post as an alternate, i.e. a post of ministerial rank, but without exercising any of the functions of a minister). There are no women Governors or Vice-Governors.

However, there are women who hold posts of lower rank. For example, as we have seen, the Public Social Insurance Institution is headed by a woman, there are two women deputy ministers and four women assistant deputy ministers, and a woman heads the Literacy Agency. As many as 97 women are Directors-General in Government agencies of one kind or another, compared to over 2000 men. There are two women advisers in the Office of the President of the Republic and three women advisers to the Prime Minister's Office. In 2001, two women were appointed to the Consultative Assembly.

Representation of women in Government posts

Post	Deputy Prime Minister		Minister		Deputy Minister		Assistant Deputy Minister		Director-General		Adviser, office of President of the Republic		Adviser to Prime Minister's Office	
Year	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1991	4	-	13	-	18	-	117	1	452	10	2	-	9	-
1992	5	-	23	-	28	-	95	1	979	49	43	2	-	3
1993	2	-	7	-	4	1	129	3	162	7	-	-	-	-
1994	3	-	8	-	11	-	23	-	134	7	9	-	-	-
1995	5	-	23	-	8	-	128	1	284	2	6	-	1	-
1996	19	-	74	-	69	1	492	6	110	75	60	2	10	3

Source: *Abdulhakim al-Sharjabi,* *Strategic Report on Yemen, 2000*

There are a total of 106 women in the Yemeni diplomatic corps, distributed as follows:

- one woman ambassador
- two women of ambassadorial rank (but without postings as ambassadors)
- two women *chargés d'affaires*
- seven women counsellors
- three women first secretaries
- four women second secretaries
- two women third secretaries
- 83 women administrative attachés
- two women press liaison officers

Women have been able to accede to posts within the Office of the President of the Republic: at present, there are 46 such women, including some who are advisers with ministerial rank. There are seven women Deputy Ministers and four Assistant Deputy Ministers serving in various departments and committees. Women head a number of specialized units, including Economic Co-operation, and the National Committee for Peace has a woman secretary. Other women hold positions as scientific investigators and specialists in various fields. These women serve as models for all Yemenis, men and women alike. There are 14 women Directors-General, while the others work in a variety of administrative units. In all, approximately 20 per cent of all these posts are filled by women. It is clear from the foregoing that the appointment of women to political posts at the highest level constitutes a positive phenomenon for all qualified women with the necessary ambition.

Participation in trade union activity

Participation by women in this area is still limited by comparison with men, despite the fact that trade union activity is opening up broad new horizons for women in various occupational fields and in public life. Statistical data and indicators confirm the low level of participation by women: only 15 per cent of trade union members are women, and women account for no more than 15 per cent of leadership positions on union committees. In the country's Governorates, women account for a mere 10 per cent of the membership of local union organizations, and the Central Council of Trade Unions includes only 11 women members, or 10 per cent of the total membership of 115. The Executive Board of the Federation of Trade Unions has no women members; however, a five-member committee has been formed to deal with issues of relevance for working women.

In general, then, it is clear that women participate only to a very slight extent in this important activity, compared to their male colleagues. This situation is attributable to a number of factors, notably the following:

- Women have only recently begun to be active in the trade union movement;
- Some women have not been convinced that it is advantageous for them to take part in trade union work, and have come to realize only recently that this is a short-sighted view and that trade union activity is important;
- Leadership positions in the trade union movement are dominated by men, with the result that it has not been possible for women to participate effectively, and this in itself has kept their participation rate down.

It is fair to say that the Yemen Federation of Trade Unions and other labour organizations have recently realized that it is essential for women to participate in union activities, and accordingly have adopted a policy of encouraging them to join. Even so, women have not yet risen to the leadership positions which they could use to good effect to advance the rights of women workers and participation by women in public life.

Governmental and non-governmental institutions concerned with the status and protection of women

Governmental and non-governmental institutions concerned with the status of women undeniably acquired enhanced importance during the 1990s. To be sure, the Government had previously endeavoured to establish mechanisms and programmes aimed at advancing the status of women, but those mechanisms and programmes had been inadequate. In the paragraphs below, some of the mechanisms and programs established since unification of the State will be outlined. They fall into two categories: Governmental and non-governmental.

Governmental mechanisms and programmes:

General Directorate for the Development of Rural Women

Established in 1988 as a directorate under the Crop Production General Directorate. Subsequently, it became a directorate directly under the responsibility of the Deputy Minister for Agricultural Affairs in 1996, and then was given its present title in March 2000.

General Directorate for Mother and Child Welfare

Established in 1990, under the Social Development Sector of the Ministry of Social Affairs and Labour.

General Directorate for Economically Productive Families

Established in 1990, under the Social Development Sector of the Ministry of Social Affairs and Labour.

General Directorate for Women (Ministry of Information)

Established by an executive order (No. 46 of 1999) issued by the Minister of Information pursuant to the Prime Minister's directive No. 60 of 1999.

General Directorate for Women (Local Administration)

Established in 2001 by an executive order issued by the Minister of Local Administration.

General Directorate for Women (Ministry of Culture and Tourism)

Established in 1999 by an executive order issued by the Minister for Culture and Tourism.

Centre for Women's Studies

Established in January 1994 as a social research and women's studies unit within the Social Science Division of the University of Sana'a's Department of Arts and Letters. The Centre was originally funded by the Government of the Netherlands. It has since become a women's studies and research centre functioning under the supervision of the President of the University of Sana'a and the University's Board of Governors.

High Council on the Status of Women

The High Council was established by an executive order (No. 68 of 2000) issued by the Prime Minister. The Council's President is the Prime Minister, its Vice-President is the Minister of Planning and Development, and its Rapporteur is the Vice-President of the Women's National Committee. The other members are the Minister of Social Affairs and Labour, the President of the Women's National Committee, two senior women officers of the country's public administration, and the President of the Association of Chambers of Commerce.

Women's National Committee

The Women's National Committee was established by an executive order (No. 98 of 1996) issued by the Prime Minister. Its membership includes representatives from Governmental and non-governmental bodies, academic institutions and political parties. However, the institutional nature of the Committee's work has made it necessary to revise the responsibilities entrusted to it.

The relevant executive orders relating to the revised mandate and overhaul of the Committee have been issued, and the restructuring process is proceeding in line with the current and foreseeable changes that the Committee must address.

Ministry of State for Human Rights

Established in 2001 within the framework of the present Government, this Ministry is headed by a woman.

Yemen Council for Mother and Child Protection

This body, which was established by executive order No. 32 of 1999, is headed by the Prime Minister and comprises a number of prominent persons who are involved with the Council's terms of reference, policy and programmes in the area of protection for mothers and children and the rights of children at all levels. The Council's yearly budget is currently 1.5 million rials, and this figure is expected to be increased to 5 million rials to cover the cost of future planning and programme development.

Gender-specific Statistics Department within the Central Statistics Organization

This Department was established in 1997. At present, it collaborates actively with the various directorates and agencies that are concerned with women's affairs, gathering statistics on the women and men of Yemen for the purpose of creating gender-specific data bases and statistical indicators.

General Directorate for the Development of Working Women

Established in 1997, this General Directorate is concerned with issues of relevance for working women. As such, it comes under the Ministry of Labour and Vocational Training. However, it has not received a budget allocation as yet.

National High Council on Human Rights

Established in 1998, the Council is concerned with human rights. To date it has never had any women members, owing to the fact that it is made up of Government ministers and senior officials, and there are no women ministers or senior officials.

Department of Women's Affairs within the Secretariat of the National Population Council

This Department was established in 1998 as a component of the Directorate General for Planning within the Secretariat of the National Population Council. Its mandate is limited to gathering statistical data on women.

Gender Mainstreaming Unit for Project Planning at the Social Development Fund

This body was created only recently, in 1998, as a component of the Social Development Fund. Its mandate is to support small income-generating projects.

Non-governmental mechanisms and programmes:

Yemeni Women's Federation

The Federation, which was founded in 1990, is financially and administratively independent. It has an annual budget of 2 million rials, distributed evenly among its regional branches, which co-ordinate their activities with each other and with the Government. For the sake of greater effectiveness, however, the Federation should reorganize its activities, policies and programmes.

Social Association for Family Development

The Association, which was founded in 1990, is a charitable organization. Its annual budget is 240 000 rials, but the international support it receives, in the form of funding for its activities, amounts to 2 million rials. The task of co-ordinating the Association's work with that of other relevant bodies and organizations is the responsibility of its nine-member Board of Directors. The Association's membership consists of approximately 50 girls and women in the field of social work, all of whom are volunteers.

Disabled Women's Committee

The Committee, which was founded in 1993, is an offshoot of the General Association for the Protection of Physically Disabled Persons; the Association supervises and administers the Committee's work and finances it out of its own annual budget of 480 000 rials. The British organization Oxfam and the Swedish organization Rada Barnen also contribute to the funding of the some the Committee's activities.

Department of Mother and Child Welfare at the Future Studies Centre

This department was founded late in 1996. Its financial and administrative capacities are not commensurate with its assigned role and objectives. Its annual budget is only 100 000 rials, quite inadequate for the nature and scope of the planning and activities for which it is responsible.

Social Association for Economically Productive Families

The Association, which was founded in July 1997, has 220 members. It operates in only two of the country's Governorates, namely Sana'a and Hajja.

Association for Mother and Child Development

The Association, which was founded in 1997, is a volunteer organization that depends on its membership dues and donations from businessmen to fund its programmes and activities. It implements a variety of projects in its area of concern.

National Association for Mother and Child Health

This Association, which was founded in 1997, is concerned with the health of mothers and their children. It has an annual budget of 500 000 rials, which is provided by international organizations and the private sector.

Committee to Combat Violence Against Women

This organization was founded in December 1997. Its objectives are as follows:

- To study and document the issues associated with violence against women, both in general terms and in terms of specific cases;
- To work in co-operation and co-ordination with relevant bodies and human rights associations to combat all forms of violence.

***Al-Tahaddi* ("Challenge") Association for the Welfare of Disabled Women**

Al-Tahaddi is a charitable association founded in 1998 to promote the welfare of disabled women.

Agency for the Development of Rural Women's Co-operatives

The Agency was founded in January 1999 as an offshoot of the Federation of Agricultural Co-operatives. Its objectives are as follows:

- To encourage the formation of rural women's co-operatives
- To provide training for the members of rural women's co-operatives as a means of making employment opportunities available to them, and to conduct economic feasibility studies relating to such co-operatives.

On 3 April 1999, the Prime Minister circulated a letter (ref. PM 60/2) to all Government ministries asking them to organize Status of Women directorates, in response to an initiative on the part of the Women's National Committee aimed at enhancing access by women to decision-making posts.

Since 1995, a number of women's charitable organizations have been founded, all of which seek to promote various aspects of women's health, social welfare, education and economic situation, and also to upgrade their capabilities and enable them to achieve a better standard of living. These organizations include the following:

Al-Wed Women's Charitable Association
Al-Safa Women's Charitable Association
Ithar Women's Charitable Association
Al-Khulood Women's Charitable Association
Al-Bushra Women's Charitable Association
Al-Huda Women's Charitable Association
Al-Murooah Women's Charitable Association
Al-Nidhal Women's Charitable Association
Women's Sustainable Development Association
Al-Wafa Women's Charitable Association
Arab Sisters Forum
Bir-al-Azab Women's Charitable Association
Yemeni Association for Rational Medical Care
Martyr Fadhl al-Halaly Association for Blind Women
Al-Tahaddi Association for the Welfare of Disabled Women
Social Association for Women and Children
Al-Khaled Charitable Association
Mirab Social Charitable Association
Yemeni Consumer Protection Association
Friends of the Disabled Association
Association for Mother and Child Development
Bir al-Shayef Charitable Association

The activities of these associations concentrate on the implementation of policies, programs, plans and projects aimed at training, education and awareness generation for women. They are not greatly different from earlier associations of the same kind as far as their areas of interest, objectives, strategies and general orientations are concerned.

The task of upgrading the situation of these institutions, which are concerned with women's issues and the promotion of their welfare, calls for policies and measures structured along the following lines:

- Initiation and facilitation of co-operation between governmental and non-governmental women's institutions in order to minimize overlapping and duplication and make optimal use of the country's limited resources, in a framework of partnership and co-operation in policy and programme development at all levels of activity implementation and project execution;

- Action to enable these institutions, both formal and informal, to extend their programmes and services at the local level, thereby ensuring that projects are more broadly based and reach rural and remote areas, where services are sorely lacking;

- Action to associate the Chamber of Deputies, local assemblies, the judiciary and the private sector, all of which have come to play an effective and influential role in advancing the status of women in Yemen, with the tasks of surveying and recording progress achieved at the national level and monitoring the implementation of the obligations assumed by the Government pursuant to the Beijing Plan of Action and the International Convention for the Elimination of All Forms of Discrimination against Women, in respect of balanced representation for women and men in all fields.

The preparation of this report is itself an important example of the kind of action that governmental and non-governmental institutions can undertake in an organized context, taking into consideration their integrated efforts representing an extension of plans and programmes aimed at structured vision and unified action to minimize overlapping and duplication in activities and programmes and the co-ordination of efforts, both now and in the future, in pursuit of the following objectives:

- Integration of women's issues into all programmes and policies through co-ordination and sectoral co-operation by formal institutions in the gathering of information and statistical data and indicators on both sexes, and through the integration of those issues into the policies of non-formal institutions as well, inasmuch as they are assuming growing importance for the activities of governmental and non-governmental organizations and the private sector, with the result that in the near future, development policy designers and decision-makers will have to devote greater attention and support to the task of achieving more comprehensive co-ordination to ensure that the interests of both sexes are served in the context of national sustainable development programmes;

- Establishment of national mechanisms, both formal and informal, to ensure that the media provide more adequate coverage of campaigns aimed at enhancing awareness of the gender-specific aspects of social problems, with a view to bringing about a re-examination of stereotypes relating to women and to the roles and responsibilities of both sexes, taking into account the changing needs of families and society and the demands of life and economic, social and human development. These various aspects have received some attention, but a greater degree of awareness of them is needed in order to ensure that the actual needs of both sexes are integrated into development policies, planning and programmes.

Article 8

Official representation and participation in various organizations

As we have seen, Yemeni women have plunged into political life and become active in a number of professional fields, notably education, in which growing numbers of women have become qualified in various areas of specialization. Inevitably, important diplomatic posts have followed. Until quite recently, owing to the prevalence of traditional concepts and social values in Yemen, it would have been unimaginable for women to be senior members of the country's diplomatic corps, but by 1999 there were three women ambassadors, four women with the rank of minister plenipotentiary, seven women counsellors, three women first secretaries and one woman diplomatic attaché. By 2001, in addition to the above, there were four women second secretaries, two women third secretaries, one woman diplomatic representative and 83 administrative attachés. Diplomatic missions, of course, are characterized by frequent changes in personnel.

Article 9

Nationality

Yemen's legislation on nationality does not discriminate between men and women. Individuals of both sexes enjoy the same right to hold Yemeni nationality under articles 2, 3 and 4 of the Nationality Law (Law No. 6 of 1990).

The Nationality Law, which was adopted on 6 August 1990, immediately after the unification of the country, sets forth a number of criteria governing the definition and acquisition of Yemeni nationality. These criteria are based on the specific characteristics of Yemeni society, and are thus comparable to those of other societies that are concerned to preserve their distinctive characteristics. They may be summarized as follows:

(a) In accordance with the principle of *jus sanguinis* (law of the blood in an absolute sense), Yemeni nationality is acquired by the fact of having been born to a father who is a citizen of Yemen. Article 3, paragraph 1 of the Nationality Law states, "Every person whose father possesses Yemeni nationality is a citizen of Yemen."

(b) Yemeni nationality may also be acquired by the principle of *jus sanguinis* combined with the principle of *jus soli* (law of the soil), i.e. the law of the blood in a restricted sense.

In certain cases, Yemeni nationality may also be acquired by the principle of *jus sanguinis* through the maternal line. Paragraphs 2 of Article 3 of the Nationality Law read as follows: "Every person born in Yemen to a mother possessing Yemeni nationality and a father whose nationality is unknown or who has no nationality is a citizen of Yemen." Paragraph 3 of that article reads, "Every person born in Yemen to a mother possessing Yemeni nationality and whose paternity cannot be legally determined is a citizen of Yemen."

In recent years, growing numbers of Yemeni women have married citizens of other Arab countries, and this situation has given rise to the problem of children who are born to a Yemeni mother married to a foreign national and who are not entitled to their mother's nationality. This problem becomes more serious in the case of a woman who is divorced or abandoned and retains custody of her children, as the children find themselves foreign nationals in their mother's country, since, as we have seen, Article 3, paragraph 1 of the Nationality Law confers Yemeni nationality on a person whose father (and not whose mother) possesses Yemeni nationality. The Women's National Committee has prepared a report on this issue, calling for amendments to the existing legislation, which it submitted to the Council of Ministers. The Council, after considering the report, turned it over to the Ministry of Legal Affairs, which will make recommendations for submission to the Chamber of Deputies in due course.

(c) Other criteria relating to the acquisition of Yemeni nationality are birth within Yemen, naturalization and marriage (Articles 4, 5 and 11 of the Nationality Law).

Under Articles 10 and 12 of the Nationality Law, a Yemeni woman who marries a Muslim of another nationality retains her Yemeni nationality, unless she expressly renounces it at the time of her marriage or in the course of her married life, and provided she is entitled to citizenship of her husband's country under its laws. In the event that the marriage should prove to be invalid, she retains her Yemeni nationality. Where a Yemeni man becomes a naturalized citizen of another country, his wife retains her Yemeni nationality, unless she declares that she wishes to acquire her husband's new nationality.

Article 10 of the Nationality Law reads as follows: "Every Yemeni women who marries a Muslim of another nationality shall retain her Yemeni nationality, unless she wishes to renounce it and so states at the time of her marriage or in the course of her married life, provided she is entitled to citizenship of her husband's country under its laws."

Article 12 reads, "Where a Yemeni man becomes a naturalized citizen of another country, his naturalization shall not entail loss of Yemeni nationality for his wife, unless she declares that she wishes to acquire her husband's new nationality. Minor children shall not lose their Yemeni nationality upon acquiring their father's new nationality by filiation."

Under Article 6 of the Passport Law (Law No. 7 of 1990), passports and travel documents may be issued, subject to the conditions set forth in Article 3 of the Law, to any person 16 years of age or older who possesses Yemeni nationality. The provisions of this law are general in scope and do not discriminate in any way against either women or men. Evidence of this is to be found in the fact that under that same article, the names of minor children are to be inscribed in the passport of one of their parents if the children are travelling abroad with them; the law does not specify that the names of the children must be inscribed in the father's or the mother's passport. The Passport Law also provides that a separate passport may be issued to a minor if necessary, subject to the consent of the parent or guardian of the minor in question.

Article 6 of the Passport Law reads as follows:

"Regular passports and travel documents, as defined in paragraphs 1-4 of Article 3 of this Law, may be issued to any person 16 years of age or older who possesses Yemeni nationality. The names of minor children shall be inscribed in the passport of one of their parents where the children are travelling abroad with them. A separate passport may be issued to a minor if necessary, subject to the consent of the minor's parent or guardian."

Under Article 11 of the Passport Law, every person possessing Yemeni nationality may leave Yemen for, and return to Yemen from, the places specified in the visa placed by the competent authority in his or her passport or travel document in lieu of a passport. Other restrictions may apply, but a citizen may be prohibited from leaving the country only by order of the Public Prosecutor or a judge acting in accordance with the provisions of Article 12 of the Law. Article 13 of the Law, however, provides that a person who has been prohibited from leaving the country may appeal the prohibition order to the Office of the Public Prosecutor.

Article 11 of the Passport Law reads as follows:

"Every person possessing Yemeni nationality may leave Yemen for, and return to Yemen from, the places specified in the visa placed by the competent authority in his or her passport or travel document in lieu of a passport."

Article 12 reads as follows:

"The Director of the Emigration, Passports and Nationality Service, or any other person duly authorized to act on his behalf, may, pursuant to an order issued by the Public Prosecutor or a judge, prohibit any person from leaving the country. The person concerned shall be notified of such prohibition. Where a visa has been placed in the passport or travel document of the person in question, such visa may be cancelled."

Article 13 of the Passport Law reads as follows:

"Every person who is prohibited from leaving Yemen under Article 12 hereof may appeal the prohibition order to the office of the Public Prosecutor."

Article 10

Education

Preschool education

Statistics given in the *General Education Survey, 1999-2000* indicate that there are 170 kindergartens in Yemen, attended by 6168 boys and 5238 girls.

Table showing numbers of children attending kindergarten and numbers of staff members, by sex

Boys	6 168	54%	Male staff	110	8%
Girls	5 238	46%	Female staff	1 219	92%
Total	11 406	100%	Total	1 329	100%

Source: Ministry of Education, *General Education Survey, 1999-2000.*

As will be seen from the above table, female kindergarten teachers greatly outnumber their male counterparts, the former accounting for 92 per cent of the total, while the latter account for only 8 per cent. This is attributable to the fact that preschool children respond better to female teachers than to male teachers, since the former are generally more attuned to their needs. It should be noted that the table includes not only teachers as such, but other categories of staff, such as administrators, supervisors, secretaries, custodians and the like.

Primary education

The Government of Yemen has demonstrated great concern for primary education, and has built many schools, especially in rural areas. As a result, 3 206 866 Yemeni children now attend primary school, including 2 098 908 boys and 1 107 959 girls, as will be seen from the table below.

Table showing numbers of children attending primary school, 1999-2000

Boys	2 098 907	65%
Girls	1 107 959	35%
Total	3 206 866	100%

Source: Ministry of Education, *General Education Survey, 1999-2000*

As the table shows, while the number of pupils attending primary school has undoubtedly increased to an impressive extent, there is still a considerable gap between the respective attendance rates for boys and girls: the latter account for only 35 per cent of the total. This very low rate is attributable to a social prejudice against educating girls, which is particularly prevalent in rural areas.

Secondary education

In 1999-2000, there were 439 129 pupils attending secondary schools in Yemen, including 324 473 boys and 114 656 girls. The latter figure represents a striking increase compared to the corresponding figures for previous years (the number of girls attending secondary school was only 82 396 in 1998), but there is still a wide gap between boys and girls. This is attributable to the high dropout rate for girls at the secondary level, especially in rural areas, which in turn reflects the fact that there are few secondary schools for girls and not enough women teachers. Early marriage also contributes to the dropout phenomenon.

As will be seen from the table below, girls account for only 26 per cent of the secondary-school population, i.e. just over one quarter of the total, while boys account for 74 per cent, nearly three quarters of the total. There is thus a substantial gap between the sexes.

Table showing numbers of secondary-school pupils, by sex, 1999-2000

Boys	324 473	64%
Girls	114 656	26%
Total	439 129	100%

Source: Ministry of Education, *General Education Survey, 1999-2000*

Enrolment rates among children of school age (being updated)

The number of children enrolled in the first year of primary school in Yemen increased from 314 876 in 1990-1991 to 478 897 in 1997-1998. Growth in enrolment at this level was thus only 10 per cent, or an average of 1.8 per cent per year. During the same period, the numbers of children reaching school age increased by 8.5 per cent annually, i.e. at a much greater rate than the rate of increase in numbers of children actually enrolling. The country has thus fallen progressively further behind in its efforts to achieve universal education.

Literacy and adult education

Illiteracy continues to be very common in Yemen, despite a considerable effort to eliminate or reduce it. It is especially prevalent among women: 76 per cent of all Yemeni women, inhabitants of urban and rural areas taken together, are illiterate. This is a very high figure by comparison with other countries. The phenomenon is attributable either to the fact that relatively few girls attend primary school or to the fact that so many girls drop out, especially after Grade 4, i.e. at about the age of 10, especially in rural areas. Factors contributing to the dropout phenomenon include the fact that there are few schools for girls, so that girls must often travel long distances in order to attend school. Economic and social factors also have an adverse impact on school attendance by girls. Despite this difficult situation, the Literacy and Adult Education Service is doing its utmost to reduce illiteracy rates among women, and there are now some 852 literacy centres located both in urban and in rural areas.

The table below shows numbers of persons enrolled in literacy classes during the 1999-2000 school year.

	Urban areas		Rural areas		Total	
Men	3 650	16%	4 621	12%	8 271	13%
Women	18 570	84%	34 599	88%	53 169	87%
Total	22 220	100%	39 220	100%	61 440	100%

Source: Literacy and Adult Education Service, *Annual Statistics, 1999-2000.*

Formal technical and vocational training

Persons with a primary-school certificate are eligible for technical and vocational training.

I – Technical education

The table below shows the number of students enrolled in technical education courses. As will be seen, all of them are boys. The absence of girl students may be attributable to social prejudice against this kind of training for girls, or to the fact that there are no job openings for girl graduates, owing to that same prejudice.

Number of training institutions	6
Number of students	550

Source: *Annual Statistics, 1999-2000.*

II – Vocational training

Girls do enrol in vocational training courses, especially in commercial and health-related subjects, but only in very small numbers. In addition, there are few vocational training institutions (16 in the entire country). The situation is summarized in the table below.

Numbers of students in vocational training courses

Boys	3 643	90%
Girls	407	10%
Total	4 050	100%

Source: *Annual Statistics, 1999-2000.*

Non-formal training

In addition to the institutions referred to above, non-formal training is available in Yemen, but those who take it are not adequately trained and do not acquire the desired skills, owing to the fact that the country lacks properly qualified training personnel. It consists of short training programmes offered in facilities that are devoid of the necessary materials and equipment as well as skilled trainers. The facilities in question are:

- Economically productive family centres, of which there are 46 in the country;
- Women's training centres run by political parties;
- Development centres for rural women;
- Training centres for disabled women;
- Women's training centres run by the private sector;
- Cultural centres, health centres, youth centres and agricultural centres operated by Government agencies.

Higher education

The numbers of students enrolled in institutions of higher education has increased substantially. More universities have been opened, some by the Government and some by the private sector, to accommodate the flood of students who graduate each year from the country's secondary schools. Reflecting the importance of university-level education and the Government's concern with it, a Ministry of Higher Education and Scientific Research has recently been established. The table on the following page shows numbers of students attending public universities in 1999-2000.

As will be seen from this table, women students tend to be concentrated in a number of fields, including in particular education, languages, science, literature and medicine. In other fields, including agriculture, engineering, *Shari'ah* and law and oceanography, there is a very wide gap between the numbers of men and women students. This situation is attributable to the fact that there is a social prejudice against women studying these subjects, and consequently few job openings for women graduates in them.

There is also a substantial gap between men and women students in terms of total numbers: the former account for 76 per cent of all university students, while the latter account for only 24 per cent. This indicates that the dropout phenomenon is no less pronounced among university-level women than it is among girls at earlier stages in the education system. There are a number of factors that contribute to that phenomenon, including:

- The fact that universities are predominantly located in major cities, and none of them except the University of Sana'a offers living quarters for women students;
- Early marriage
- The fact that there are few job openings for women university graduates in the private sector, which as a rule offers women only secretarial jobs, regardless of their qualifications;
- The difficult economic circumstances currently besetting many families, especially in rural areas, make it very difficult for girls to attend institutions of higher education.

Numbers of students attending Yemen's seven public universities in the academic year 1999-2000
(Yemeni students only)

Field of study	Men students		Women students		Total
Engineering	3 992	91%	393	9%	4 385
Agronomy, veterinary medicine	623	91%	65	9%	688
Education	43 844	72%	17 422	28%	61 266
Shari'ah and law	13 267	94%	873	6%	14 140
Literature	11 482	64%	6 544	36%	18 066
Science	1 945	54%	1 648	46%	3 593
Economics and commerce	21 854	86%	3 423	14%	25 288
Medicine and health science	3 403	61%	2 167	39%	5 570
Information studies	877	87%	128	13%	1 005
Education, literature, science	1 543	97%	52	3%	1 590
Languages	656	51%	631	49%	1 287
Oceanogaphy, environmental studies	285	84%	56	16%	341
Physical education	110	100%	-	-	110
Fine arts	58	57%	43	43%	101
Business administration	7 283	88%	1 017	12%	8 300
Applied science	280	80%	70	20%	350
Faculties for girls	-	-	116	100%	116
Total	111 502	76%	34 648	24%	146 150

Table showing numbers of women who graduated from public universities in Yemen, 1997-1998, 1998-1999 and 1999-2000

Field of study	1997/98		1998/99		1999/2000	
Engineering	38	13%	57	11%	75	20%
Agronomy, veterinary medicine	8	5%	22	15%	16	14%
Education	1 091	23%	-	-	2 368	24%
Shari'ah and law	99	7%	75	5%	61	4%
Literature	403	25%	527	34%	665	38%
Science	68	15%	76	26%	128	37%
Economic and commerce	183	14%	190	14%	233	15%
Medicine and health science	179	29%	196	32%	146	30%
Information studies	28	19%	29	18%	24	13%
Education, literature, science	-	-	-	-	-	-
Languages	-	-	-	-	-	-
Oceanography, environmental studies	-	-	-	-	-	-
Physical education	-	-	-	-	-	-
Fine arts	-	-	-	-	-	-
Engineering science and computer studies	-	-	-	-	-	-
Business administration	-	-	-	-	-	-
Applied science	-	-	4	6%	-	-
Faculties for girls	-	-	-	-	-	-
Total	2 134	19%	1 192	19%	3 716	23%

Women in the teaching profession

Breakdown of primary-level school personnel by sex

Position	Number	%
Men principals	6 528	97
Women principals	232	3
Men teachers	74 765	81
Women teachers	17 961	19
Total, men	90 214	81
Total, women	20 816	19
Aggregate total	111 030	100

Source: Ministry of Education, *General Education Survey, 1999-2000.*

As will be seen from the above table, women continue to account for only a small fraction of all primary-school personnel. Three per cent of the principals are women, while 97 per cent are men; 19 per cent of the teachers are women, whereas 81 per cent are men. This very wide gap characterizes every aspect of the primary-level teaching profession.

Breakdown of secondary-level school personnel by sex

Position	Number	%
Men principals	208	92
Women principals	18	8
Men teachers	4 134	78
Women teachers	1 150	22
Total, men	5 564	78
Total, women	1 543	22
Aggregate total	7 107	100

Source: Ministry of Education, *General Education Survey, 1999-2000.*

As this table shows, women account for only a small proportion of the teaching profession at the secondary level as well. Eight per cent of the principals are women, while 92 per cent of them are men; 22 per cent of the teachers are women, whereas 78 per cent are men. This same disparity characterizes the secondary-level teaching profession as a whole, and it has had a most regrettable impact on the enrolment of girls at this level, since for social reasons girls prefer to study with women teachers rather than men teachers.

Breakdown of consolidated (primary + secondary) school personnel by sex, 1999-2000

Position	Number	%
Men principals	2 695	91
Women principals	255	9
Men teachers	59 465	80
Women teachers	15 153	20
Total, male personnel	70 620	80
Total, female personnel	17 882	20
Aggregate total for Yemen as a whole	88 502	100

Source: Ministry of Education, *General Education Survey, 1999-2000.*

As will be seen from the above table, women account for only a small percentage of total personnel even in consolidated schools offering both primary- and secondary-level programmes. Nine per cent of principals of these schools are women, while 91 per cent are men; 20 per cent of the teachers are women, whereas 80 per cent of them are men. This same disparity characterizes consolidated-school personnel generally. The gap between the sexes is thus very wide, and, inevitably, it has affected the enrolment of girls in these schools.

School buildings

Numbers of primary-level school buildings in use or under construction

Type of school	Number	%
Boys' schools	1 438	15
Girls' schools	515	5
Coeducational schools	7 950	80
Total, primary level	9 901	100

Source: Ministry of Education, *General Education Survey, 1999-2000.*

The above table shows that there is a substantial disparity between the number of boys' schools and the number of girls' schools in Yemen: the former account for 15 per cent of all primary schools, while the latter account for only five per cent. As the table also shows, coeducational primary schools predominate by a wide margin, with 80 per cent of the total. This predominance of coeducational schools is considered to be one reason why so many girls drop out of school after the age of 10, i.e. after Grade 4 or 5. That, in turn, helps to explain why so many women enrol in literacy and adult education courses at a later stage.

Numbers of secondary-level school buildings in use or under construction

Type of school	Number	%
Boys' schools	101	43
Girls' schools	26	11
Coeducational schools	108	46
Total, secondary level	335	100

Source: Ministry of Education, *General Education Survey, 1999-2000.*

As will be seen from the above table, Yemen still has very few secondary schools; the pace of new school construction has by no means kept pace with the vast numbers of students, both boys and girls, and the result has been severe overcrowding in classrooms, especially in the country's main cities, where it is not uncommon to find 160 students in a single class. The same phenomenon is observable in girls' schools, which are very few in number (they account for 11 per cent of the total, whereas boys' schools account for 43 per cent and coeducational schools 46 per cent).

Life skills education

The Republic of Yemen has made the welfare of mothers and children one of the top priorities in its general policy. Accordingly, the Ministry of Education has made a point of integrating health and environmental education concepts into school curricula. These curricula are prescribed for all pupils in the general education programme, boys and girls alike.

School activities

School activities are practised during classes in both boys' and girls' schools, without discrimination.

Main differentiating factors in the field of education

1 – Distribution of same-sex schools

As we have seen, boys' schools account for 15 per cent of all primary schools and 43 per cent of all secondary schools, whereas girls' schools account for 5 per cent of all primary schools and 11 per cent of all secondary schools.

2 – Small numbers of women teachers at both the primary and secondary levels

At both the primary and secondary levels, men teachers are heavily predominant, not only in terms of absolute numbers but also in percentage terms. Nineteen per cent of all primary-school teachers are women, while 81 per cent are men; at the secondary level, women teachers account for 22 per cent of the total, while men teachers account for 78 per cent. In addition, women teachers are concentrated in the major cities; very few of them are employed in schools in rural areas, and this is a factor that contributes to the high dropout rates among girls that characterize rural primary and secondary schools.

Policies and measures relating to the education of girls

Policy	Justification	Measures	Competent authority
1. Making families aware of the importance of educating girls	- Lack of awareness of the importance of educating girls and the resultant advantages for individuals, families and society. - General attitude toward educating girls, often based on mistaken concepts. - To give renewed impetus to girls' education will require the mobilization of all available resources and volunteer work based on genuine conviction.	- Adoption of a plan designed to create awareness among families of the importance of educating girls, characterized by direct or indirect methods, as appropriate. - A more active role for schools in local settings with a view to ensuring that teachers of both sexes can play their role in spreading awareness of the importance of educating girls. - Formation of local teams for the purpose of spreading awareness of the importance of educating girls, and	- Ministry of Education - Ministry of Information - Ministry of Culture - Young people's and women's clubs and associations - Local authorities

		providing those teams with the skills and resources they will require in order to perform their task. - Enlistment of mosques as a potentially effective channel for enhancing awareness of the importance of educating girls.	
2. Compensating families for the economic losses resulting from educating their daughters	- Most rural families lose income. - Feeling that educating daughters is an unprofitable proposition: on the one hand, the daughters' work is lost, and on the other hand, tuition fees have to be paid. - There are few employment opportunities for girls who have completed their education.	- Assistance for girls who attend school and their families, to enable them to obtain food and other supplies. - Exemption for girls from tuition fees and other school-related charges. - Encouragement for local authorities to participate in the national support fund for families whose daughters attend school. - Use of part of the assistance provided by international organizations to encourage families to send their daughters to school to acquire skills and vocational qualifications that will enable them to earn income and enjoy a higher a standard of living.	- Ministry of Education - Ministry of Social Affairs and Welfare - Chambers of Commerce and Industry - Ministry of Labour - Ministry of Civil Service and Administrative Reform
3. Increase in numbers of women teachers	- There is no hope of raising girls' enrolment rates with the present numbers of women teachers. - The benefits of an educated female work force will continue to elude regions in which women teachers are in short supply. - Women teachers tend to avoid jobs in rural areas.	- Adoption of a plan to establish training colleges for women teachers in rural areas, geared to the numbers of girls graduating from schools in those areas. - Encouragement for girl graduates to enter the teaching profession in the regions where they live. - Upgraded salary scales for teaching posts for women, appointment to such upgraded posts to be conditional on assignment to rural areas where women teachers are needed. - Material, moral and professional incentives for women teachers in rural areas. - Encouragement for women teachers in urban areas to move to the country. - Opportunities for women teachers to obtain	- Ministry of Education - Ministry of Civil Service and Administrative Reform - Ministry of Finance - Local authorities - Colleges of Education

		promotions within the educational field, e.g. to posts as advisers or administrators.	
4. Higher quality standards for women teachers	- Disparity between teachers' professional qualifications and the tasks assigned to them, especially in rural areas. - Multiplicity of tasks assigned to women teachers in rural areas. - Disparity between teachers' professional qualifications and education and training needs in rural areas. - Feeling that educating girls is not advantageous.	- On-the-job training for women teachers, as a prerequisite for promotion. - Training programmes for women teachers that are appropriate in terms of the tasks assigned to them in rural schools: teaching classes consisting of more than one grade, adult education, social service outreach, design and organization of extracurricular activities, crafts and the like.	- Ministry of Education - Ministry of Civil Service and Administrative Reform - Local authorities.
5. Avoidance of coeducation	- Coeducation is one of the reasons why so few girls attend school in many regions. - Opposition to coeducation is not equally strong in all regions. - The age at which coeducation is regarded as acceptable is not the same everywhere. - Continued development of coeducation in primary schools.	- Operation of public schools in two shifts, one for boys and one for girls. - In large schools, use of one wing for classes of girls exclusively, making any necessary alterations to the classrooms and other facilities. - Building of schools for girls where population density warrants. - Classrooms for girls exclusively. - Reconsideration of school building design, use of local construction materials, and investment in girls' education.	- Ministry of Education - Local authorities.
6. Employment of a larger percentage of women teachers in the first four years of primary education, where this is acceptable to local communities.	- Coeducation is acceptable to parents, in some regions and during the first four years of primary school, provided classes are taught by women teachers. - Children's need for special care and the importance of being able to interact with them in their early school years. - Difficulty of establishing separate classes in some regions, and the consequent need to opt for coeducation.	Adoption of a policy of appointing women teachers in the first four years of primary school, in regions where this is feasible and acceptable. - Distribute surplus women teachers from cities to teach classes in the first four years of primary schools, and assign the men teachers thus made available to regions where they are needed. - Give priority to women in filling vacancies in the first four years of primary school.	- Ministry of Education - Ministry of Civil Service and Administrative Reform - Local authorities.

7. Adequately equipped school buildings in communities.	- School attendance by girls is influenced by the location of the school and the distance that must be travelled in going to and from school. - Parents are afraid to send their daughters to school where the schools in question are located near markets or public gathering places. - Failure to take the reality and constraints of girls' education into account in building schools - The availability of appropriate facilities, notably sanitary facilities, encourages girls to attend school and stay in school	- Construction of schools and classrooms on the basis of statistical data, taking the reality and constraints of girls' education into account. - Construction of schools near the communities where people live, away from public gathering places. - Preparation of a school map for use in locating girls' schools, or take the factor of girls' schools into account in preparing the school site distribution map.	- Ministry of Education - Education Projects Implementation Unit - Local authorities
8. Flexibility in syllabus content and study plans	- Syllabi do not correspond to local needs or the needs of pupils, especially girls. - At present, syllabi and study plans are inflexibly applied.	- Adoption of enough flexibility to endow syllabi and study plans with greater depth, and action to ensure that they meet local day-to-day needs and the needs of pupils, especially girls. - Appropriate attention to special considerations in the matter of syllabus contents. - Concentration on skills acquisition, crafts, home economics and other useful subjects in girls' education. - Strengthening of the institutional, technical and financial capabilities of bodies responsible for designing and producing school syllabi. - Development of extracurricular activities, and action to harness them to serve the local environment and girls' needs.	- Ministry of Education - Education Research and Development Centre - Local authorities.
9. Action to make schools more attractive	- At present, schools and their programmes and activities are unattractive, and this is one reason why pupils drop out. - Girls are more willing to attend a school that is attractive and offers interesting programmes and activities.	- Development of activity programmes that correspond to girls' interests and pastimes. - Development of activity programmes that provide a link between home and school. - Action to promote participation by girls in	- Ministry of Education - Local authorities.

		whatever enhances the school environment. - Organization of exhibitions and festivals, and recognition of exemplary mothers and fathers. - Action to design educational alternatives for girls, especially girls who have not had the opportunity of attending school.	
10. Enforcement of existing laws and enactment of new ones.	- At present, laws designed to promote the education of girls are not enforced. - It is important to enact new laws to promote the education of girls.	- Examination of existing legislation in order to identify provisions that promote the education of girls. - Investigation to determine to what extent laws designed to promote the education of girls are applied in practice. - Enactment of new legislation on the development of girls' education.	- Ministry of Education - Ministry of Legal Affairs - Education Research and Development Centre
11. Unification of managerial and supervisory authorities	- At present, there is no single body responsible for managing and supervising girls' education. - The dispersed nature of managerial and supervisory authorities exerts a braking effect on the development of girls' education and prevents grants and assistance from being allocated in accordance with needs. - The multiplicity of supervisory bodies in the field of girls' education frequently hampers the implementation of projects.	- Establishment of a High Council on Girls' Education. - Subsidiary offshoots of the High Council operating in Governorates and districts. - Participation by the general public in the work of the Council. - Adoption of a plan for the development of girls' education. - Allocation of a percentage of the education budget to support for girls' education, with a yearly increase in that allocation. - Consolidation of all assistance and grants in a fund for the implementation of a plan for the development of girls' education.	- Ministry of Education - Local authorities.
12. Increased funding and unification of funding sources and distribution	- Inadequate funding exerts a braking effect on the implementation of projects in the field of girls' education. - The impact of grants and assistance on girls'	- Spending priority for the development of girls' education in rural areas. - Establishment of a national fund for the support of girls' education, with all financial resources for girls'	- Ministry of Education - Ministry of Finance - Local authorities.

	education is limited owing to the current undirected approach to awarding such grants and assistance. - Some projects are not appropriate in terms of local needs.	education to go into that fund. - Mobilization of alternative sources of funding for girls' education at the central and local levels.	
13. Studies and research with a view to upgrading girls' education.	- Lack of research projects aimed at identifying local needs in the area of girls' education. - Lack of a permanent central or local mechanism to evaluate projects aimed at the development of girls' education, either while they are under way or upon completion - Scarcity of studies and research on trends in and attitudes toward girls' education - Lack of a data base on girls' education.	- Adoption of a study and research plan affording a means of evaluating projects before, during and after implementation, at the central and local levels. - Adoption of a study and research plan at the local level. - Creation of a statistical or documentary data base on girls' education.	- Ministry of Education - Education Research and Development Centre - Local authorities.

Article 11

Employment

Yemen's labour legislation takes working women into account, in accordance with the principles of social justice and equality between women and men in all workplace situations and conditions, without discrimination, and having regard to the objective of complementarity between the sexes. These principles are set forth in the country's Constitution, which states, in Article 29, that work is a right, an honour and a necessity for the development of society, and that every citizen has the right to engage in the occupation of his or her choice, within the limits of the law. No citizen may be compelled to perform work against his or her will, except as specified by law, as a matter of public service and in return for fair remuneration. Relations between workers and employers are regulated by the Law on Trade Unions and Professional Associations.

The Labour Code (Law No. 5 of 1995) and amendments thereto

The Labour Code states unequivocally that work is a natural right for every citizen and an obligation for everyone capable of working, subject to equal conditions, opportunities, guarantees and rights, with no discrimination based on sex, age, race, colour, creed or language. The State endeavours, in so far as possible, to ensure that everyone enjoys the right to work by means of its ongoing national economic planning activities. Article 5 of the Labour Code enunciates the principle of equality between women and men as regards working conditions, rights and duties and labour relations, without discrimination. That article also prescribes equality between the sexes in the matters of employment, promotion, pay, training, qualifications and social security.

The Code grants women a number of benefits, notably in connection with pregnancy and nursing. Specifically, a woman in her sixth month of pregnancy and thereafter may not be required to work more than five hours a day, and the same limitation applies to a woman who is nursing an infant until the child is six months of age. The work schedule may be reduced to less than five hours a day for health reasons as attested by a medical certificate (Article 43(1)).

Article 43(2) stipulates that the period during which a nursing mother is entitled to a five-hour workday shall be calculated from the day after her delivery until the end of the sixth month of the child's age.

Under Article 44, no woman may be required to work overtime from the sixth month of her pregnancy to the end of the sixth month following her return to work after her maternity leave, in the interests of her health.

Under Article 45, a woman who has a child is entitled to 60 days' maternity leave with full pay, and to a further 20 days if:

(1) the birth was difficult or performed by caesarean section, as attested by a medical certificate; or
(2) she gave birth to twins.

Under Article 46 of the Labour Code, it is unlawful to employ women in industries or trades characterized by dangerous or exceptionally hard work or work that is injurious to health; for the purposes of this article, the industries and trades in question are those included in a list prepared by the Minister of Labour. In addition, it is not lawful to employ women for night work, except during the month of Ramadan, or other kinds of work as specified in a list prepared by the Minister of Labour.

Article 47 requires every employer of women to post the regulations governing the employment of women in a place where they are clearly visible at the workplace.

Article 47 also specifies that every working woman, in the event of the death of her husband, shall be entitled to 40 days of leave with pay, to be counted from the date of death. She is also entitled to up to 90 days of leave without pay during her waiting period (*'iddah*). Under Article 84, workers who wish to make the pilgrimage to Mecca (*hajj*) are entitled to 20 days of leave with pay, and, as Article 2 of the Code states, the term "workers" includes both women and men.

The Civil Service Law (Law No. 19 of 1991)

Article 12 of this law states that appointments to civil service posts shall be based on equality of opportunity and equal rights for all citizens without distinction or discrimination. A careful reading of the provisions of the law reveals that conditions of employment and promotion and appointment procedures are the same for both sexes. Nor does the law enshrine any form of discrimination in the matter of pay, which is based on the post, not on the sex of the incumbent.

Indeed, some of the provisions of this law may be said to constitute positive discrimination in favour of women, inasmuch as they take into consideration the situation of women with respect to marriage, pregnancy and nursing. The most important of these provisions are as follows:

- Sixty days of maternity leave with full pay, plus 20 additional days in the event of a difficult birth or a birth by caesarean section, or in the event of the birth of twins;

- Up to one year of leave without pay for any reason approved by the relevant administrative unit;

- A five-hour workday for nursing mothers, up to the end of the sixth month following the date of delivery, and a four-hour workday for pregnant women from the sixth month of pregnancy up to the time of delivery.

- A spouse who accompanies his or her husband or wife abroad is entitled to up to four years of leave without pay.

Despite these positive aspects, the Civil Service law includes some unsatisfactory provisions as well. For example, it stipulates that a woman civil servant is entitled to only 40 days of leave upon the death of her husband, instead of 130 days.

The Social Security Law (Law No. 26 of 1991)

This law does not discriminate between insured men and insured women as regards the guarantees and rights to which they are entitled. However, in the light of the social situation of women, the law entitles a woman to draw her old-age pension at the age of 55, whereas a man is not entitled to draw his old-age pension until the age of 60, subject in both cases to not less than 15 years of social insurance contributions. Furthermore, every woman who has made 300 contribution payments is entitled to a pension, regardless of her age, whereas the corresponding figure for a man is 360 contribution payments. It is thus clear that under this law, women enjoy a number of advantages that are not available to men. The Social Security Law makes provision for other guarantees and rights in addition to entitlement to old-age pensions, death benefits, disability benefits and compensation for work accidents, and all these are available to women as well as men.

The Insurance and Pensions Law (Law No. 25 of 1991, as amended in 2000)

The provisions of this law that are relevant for working women are summarized below.

(a) Entitlement to a retirement pension

Under Article 19 of the Insurance and Pensions Law (Law No. 25 of 1991) and Article 23 of the Order bringing it into force, a woman worker is entitled to a retirement pension under the following circumstances:

- Where she has worked for 25 years, regardless of her age;
- Where she has worked for 20 years and has reached the age of 46;
- Where she is physically unfit as a result of a work accident or any other cause, as attested by a medical certificate (this provision applies to men as well);
- Where she dies from any cause, regardless of her age.

(b) Compulsory retirement

Under Article 20 of the Insurance and Pensions Law, retirement at age 55 is compulsory for woman workers.

(c) End-of-service benefit

Under article 21 of the Insurance and Pensions Law and article 34(f) of the Order bringing it into force, an end-of-service benefit is payable to a woman worker who is not entitled to a retirement pension where she resigns to get married, to care for her family or to accompany her husband abroad.

(d) Entitlement to a deceased person's benefits

Where an insured man or pensioner dies, his legal dependants are entitled to draw his pension or end-of-service benefit. In most cases, the dependant in question is the deceased person's wife, mother or sister. Under article 40 of the Order bringing the Insurance and Pensions Law into force, however, the entitlement lapses in the following situations:

- Where the woman takes a job that provides her with a regular income;
- Where she marries, in which case she receives a lump-sum payment equal to one year of her share of pension payments;
- Where she dies.

She recovers her entitlement, however, if her new husband dies or divorces her. A woman's entitlement to her husband's pension upon his death is subject to a number of conditions;

1 If the husband (the pensioner) divorced her before his death, she retains her entitlement provided the divorce was revocable, the death occurred during her waiting period (*'iddah*) and the woman has no other source of income;

2 The couple were in a marriage relationship before the husband's death.

Amount of pension

Aware as it is of its responsibilities toward the family of an insured man in the event of death from natural causes or total disability, even where such disability has not resulted from a work accident, the State has made provision for other benefits in addition to those referred to above. Under article 26, "Where an insured person ceases to be employed by reason of death from natural causes or permanent total disability not resulting from a work accident, he or his heirs and assigns shall be entitled to a pension in an amount proportional to his term of service, but in any case not less than 7000 rials or one-half his final rate of pay, whichever is greater."

Advantages and disadvantages of Yemen's social security laws

(a) Advantages

- Women who work are entitled to a retirement pension that is proportional to their term of service, just as men are;
- Working women enjoy a number of advantages compared to men, both retirement age and required term of service being reduced by five years for their benefit;
- Women are entitled to a retirement pension after 25 years of service regardless of age, in contrast to men, who are required to work five years longer;
- The compulsory retirement age is 55 for women, whereas it is 60 for men. These figures take into account the average age of the population of Yemen;
- The laws take into account the family and social circumstances of working women with respect to their right to marry, care for their families or accompany their husband abroad for purposes of study or serve in the diplomatic corps. The laws do not deny women appropriate compensation for their term of service, and in that connection entitle them to an end-of-service benefit where they do not quality for a retirement pension.

(b) Disadvantages

- Large numbers of women who work in the agricultural sector are not covered under these laws, and consequently do not enjoy any of the related benefits, despite the vital nature of their work;
- The laws grant advantages to women in the matter of retirement, but the basis on which their pensions are calculated is the same as in the case of male workers (1/420), whereas logically a lower ratio should be applied in the case of women;
- The laws also deprive women of their right to a retirement pension if they remarry, and, indeed, many widows refrain from remarrying because of this consideration.

Occupations and jobs from which women are excluded

Under the Labour Code, women are expressly prohibited from performing work that would be hazardous to their health or excessively hard work, such as night work. Occupations and jobs from which women are excluded include the following:

- Underground work in mines;
- Work in blast furnaces, because of the high-temperature conditions;
- Work requiring great physical exertion, such as lifting items weighing more than 20 kilograms;
- Lead products manufacturing;

- Explosives and fireworks manufacturing;
- Silvering mirrors with mercury;
- Melting and working with glass;
- Demolition and construction work;
- Work involving contact with substances that are dangerous for an unborn child, such as radioactive materials and various types of chemicals.

Occupations and jobs that are regarded as desirable by families, women and society

- Teaching in educational institutions for girls;
- Working for women's charitable organizations and associations;
- Working for education and training centres for women.

It must be admitted that Yemeni society takes a stereotyped view of the matter, regarding certain types of work as appropriate for men and others for women. Moreover, it has a regrettable impression that women are inferior beings, and consequently if a woman works at all, she is likely to hold a marginal, secondary or subsidiary job, one that offers no scope for creativity. Consequently, women remain subordinate to men, who have a monopoly of meaningful jobs and thus continue to hold power over women. Men disapprove of women doing any kind of work which they consider might enable them to defy men's authority; they want to keep women in a state of dependency by maginalizing their role and excluding them from important posts in society. Social factors, born of Yemen's value system, customs and traditions, clearly play an important role in reinforcing this attitude toward women. However, the situation has begun to change, and today women are entering occupational fields that had long been men's exclusive preserves.

Women's work in the home

Household work performed by women is not counted for purposes of calculating GDP, despite the fact that such work constitutes an invisible source of family income.

Unpaid agricultural work as a component of gross domestic product

It appears from the statistical indicators contained in the 1994 census and housing survey that unpaid agricultural work is counted for purposes of calculating GDP.

We may recall at this point that under the laws referred to earlier, working women are entitled to paid maternity leave without losing their jobs, their seniority or other benefits. These rights are observed by all public and private employers, and in the event of any contravention, the woman concerned may bring a complaint before the competent authority.

Under the law, no woman may be discharged from her employment because of pregnancy, or because she has applied for maternity leave or leave to get married. These laws are largely observed in practice, as we have seen earlier in this report. Women also enjoy the benefit of measures aimed at protecting their health and safety, especially as regards pregnancy and childbearing.

Women as a proportion of the labour force

The 1994 census puts Yemen's total labour force at 4 900 680. Of this total, 23.7 per cent were women. The census data do not include a breakdown by age group, and consequently no reliable information about this aspect is available at the present time. A survey of the country's civil service is currently being conducted, with a breakdown of the data and statistical indicators by sex and category and class of post, but the results have not yet been published.

Child care services for working women

Women who are employed in the public or private sector or in mixed enterprises do not receive any assistance from their employers in respect of child care, owing to the fact that preschool educational institutions, such as day care facilities and kindergartens, are few and far between in Yemen. Consequently, fewer than one per cent of working women's children can be accommodated in institutions of this kind, and then only in the major cities; in smaller towns, this type of service is nonexistent, despite its importance for the job security and psychological reassurance of working women.

Most day care facilities are private institutions owned by local investors, both male and female. In all Yemen, there are no more than six publicly-funded day care centres, and consequently this type of service is unlikely to become more widely available in the near future. Furthermore, while there are a number of public investment programmes covering activities and projects aimed at advancing the status of women, they do not include this aspect. Nor do they take into account the importance of correcting the substantial quantitative and qualitative deficiencies in the area of services to working women and their children. This issue is particularly acute in view of the growing numbers of working women and the rising cost of private day care, which puts the service out of reach for many of them. Unfortunately, neither the Labour Code nor the Civil Service Law requires public agencies or private-sector employers with women workers to provide day-care facilities for their employees' children. Strategies and planning in this area are conspicuous by their absence, as is any real awareness of the importance of this type of service, and as a result the problem is growing steadily more acute. It is urgently necessary to make day care available to more children, especially in view of the fact that early childhood education is a useful preparation for entry into the formal education system and enables both children and their mothers to realize their potential and develop their abilities and talents.

A number of field research projects have shown that there are working women who give up their jobs to care for their children in their early years, but return to the labour market once their children have reached school age. As a result, working women find it difficult to acquire training and skills, and find that they cannot advance in their careers, especially if they have been out of the labour market for more than three or four years. Moreover, a long absence from the labour market entails various problems and difficulties. The main reasons for this are as follows:

- Lack of job training programmes for women who have been out of the labour market for long periods;
- Lack of awareness on the part of employers of the importance of job training programmes for their women employees;
- Inadequate financial resources for employee training and skills upgrading generally, making the problem more difficult and more complex;
- Lack of strategies and policies in this area, making it difficult for women to take advantage of their latent capabilities.

As we have seen, Yemen has various laws that address the issue of the rights of women in the workplace and their general obligations in the matter of employment and social security. However, those rights and obligations as such are inseparable from the associated procedural aspects. The laws are framed with a view to establishing equality between the sexes. Where discrimination has occurred, it has usually been the result of the way the provisions of those laws have been applied, and this in turn is due to the social situation, characterized as it is by traditional values and stereotyped views of the roles and responsibilities of men and women. Up to a point, in fact, those views and values have affected the formulation of the laws as well as the way they are applied in practice.

Child labour

In Yemen, there are an estimated 326 608 children in the 6-14 age group who are workers, 48.6 per cent of them boys and 51.4 per cent girls. Various surveys have shown that children frequently go to work at a very early age (between 4 and 6 years).

Between 1991 and 1994, the numbers of child workers grew at an average rate of 3 per cent annually. This phenomenon has been aggravated by economic factors, the return of nearly one million Yemeni emigrants as a result of the Gulf crisis, rapid population growth among the under-15 age group, low school attendance rates and the spread of illiteracy. Children perform many kinds of work, mainly for private-sector employers: farm labour, herding livestock, carrying water and firewood, mining, construction, hawking, cleaning, and selling newspapers and magazines. Such jobs as these occupy 90.4 per cent of the child labour force.

Problems affecting child workers

The health of many child workers is at risk, and they are also confronted with social problems. In particular:

1. Child workers are not protected under the law;
2. They are at risk from malnutrition and contagious diseases;
3. They are exposed to severe cold and to accidents and other hazards at their work;
4. They are often victims of mistreatment and sexual abuse in their work environment;
5. They suffer from feelings of failure and schizophrenia, leading to isolation from their families and from society;
6. Employers do not apply the provisions of the Labour Code relating to such matters as entitlement to the same pay as an adult for the same work, compensation for work accidents, disputes between child workers and their employers, and the like;
7. Child workers are required to put in long hours. Statistics show that 42 per cent of child workers work between six and ten hours per day, and more than 39 per cent of them work between 11 and 17 hours per day in tertiary-sector occupations;
8. Child workers acquire the habits of chewing *qat* and smoking at an early age.

Measures aimed at dealing with the phenomenon of child labour

The Government is endeavouring to overcome the phenomenon of child labour and to address the problems associated with it in an effort to help these children rebuild their personalities and lead normal lives. To that end, it has adopted a number of measures, including:

1. Investigation of the phenomenon of child labour and identification of its causes;
2. Development of programmes, projects, strategies and policies designed to deal with child labour;
3. Action to upgrade the qualifications and enhance the skills of child workers;
4. Preparation of regulations and executive orders designed to supplement and implement the provisions of the Labour Code as it applies to child labour;
5. Action to ensure that all relevant legislation is applied to child workers;
6. Abolition of the exploitation of child workers in heavy or dangerous jobs that are hazardous to their health, and action to ensure that they work in a healthy, safe environment;
7. Keeping records on work accidents involving children and action to help them secure compensation;
8. Monitoring of establishments that employ child workers in disregard of the provisions of the relevant legislation, and prosecution in the event of violations;

9. Application of medical examinations and social security to child workers;

10. Introduction of changes to the schedule of fines *pari passu* with changes in the labour market;

11. Scrutiny of child workers' contracts to ensure that they conform to the Labour Code, and registration of all such contracts with labour offices;

12. Action to enhance parents' awareness of the importance of sending their children to school and taking advantage of the educational opportunities available to them;

13. Action to sensitize public opinion to the problems associated with child labour and its economic, cultural, legal and political implications;

14. Preparation of pamphlets, posters and a study on the phenomenon of child labour and child development;

15. Publication of the Convention on the Rights of the Child and legislation relating to children;

16. Co-ordination with the media in the effort to combat child labour and its implications for children, their families and society;

17. Action to ensure coverage of programmes, projects and strategies aimed at the abolition of child labour, and to shed light on Yemen's initiatives, actions and accomplishments in that area;

18. Production of informational materials on child workers, their families and employers;

19. Revision of Law No. 5 of 1995 (the Labour Code) and the amendments thereto introduced by Law No. 25 of 1997, and restoration of article 48 of the Code, which was repealed by one of the amendments in question;

20. Ratification of the International Labour Organization's Convention No. 38 of 1973 concerning Minimum Age for Admission to Employment, and Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Article 12

Health

Recent measures in the field of health include a working paper outlining health-related policies and strategies that was adopted by Yemen's first conference on health in 1994, a five-year plan covering the period 2001-2005 and a comprehensive reform plan for the health sector, including a system of health districts and regions, a cost recovery programme and a community participation scheme featuring the establishment of health councils. Both women and men are active in the management of health care facilities, and the health services budget now accounts for 4 per cent of all public spending, compared to 3.4 per cent in 1997.

The following section surveys the most important priorities and policies established by the Ministry of Health with a view to improving the country's health situation, enhancing awareness of the importance of health, and broadening health service coverage.

The health care work force

This sector has experienced remarkable development in recent years. Yemen's trained and qualified health care work force grew by nearly 16.9 per cent between 1998 and 1999, from 32 590 in the former year to 38 061 in the latter, and women account for 4 per cent of the total. While this is a fairly low figure, women have been entering the health care work force in substantial numbers since the late 1990s.

The health care work force, by sex

Total	Men		Women	
Number	Number	%	Number	%
69 061	67 798	96	1 263	4

Distribution of the health care work force and numbers of health care workers in relation to total population

While the health care work force has grown considerably in the course of the past six years, substantial disparities between Yemen's various Governorates still subsist. This is attributable to number of factors, including in particular:

1. Unbalanced distribution of health care workers among the various regions of the country;
2. A lack of incentive for health care workers to work in rural areas;
3. General educational levels are widely variable in different parts of the country, and this situation is reflected in the numbers of applicants to health care teaching institutions and medical schools;
4. Most health care workers prefer to live and work in cities rather than in rural areas.

Total population, numbers of doctors and nurses, and doctors and nurses per 10 000 population

Total population	Number of doctors	Number of nurses	Number of doctors per 10 000 population	Number of nurses per 10 000 population
18 261 000	3 834	5 437	2.04	2.98

As will be seen from the above table, Yemen has an average of 2.04 doctors and 2.98 nurses for every 10 000 people. According to the 2000 *Statistical Yearbook*, the country has one doctor for every 5231 inhabitants and 1.6 nurses for every doctor. These figures are low by comparison with foreign countries and other Arab countries.

Any attempt to quantify the country's effective need for health care workers must inevitably take two important factors into account: (1) population growth and (2) economic growth and available resources.

Life expectancy at birth

In the 1970s, life expectancy at birth was 35 years for both sexes. By 1988 that figure had increased to 47 years, thanks to better and more accessible health care, greater health awareness, a better educated population and better nutrition. By 1994, according to the census conducted in that year, life expectancy had risen to 56 years for men and 59 years for women, i.e. there was a three-year advantage in favour of the latter. Statistical and demographic indicators for 2000 point to a life expectancy of 59.9 years for men in urban areas and 57.2 years for men in rural areas, while the corresponding figures for women are 64 years and 60.3 years respectively.

Maternal mortality

According to previous estimates from Government sources, there were 1000 maternal deaths per 100 000 live births in 1990. However, two international organizations, WHO and UNESCO, estimate that the actual figure was closer to 1 400 maternal deaths. The results of the 1997 demographic survey indicate that in that year, there were an average of 351 maternal deaths for every 100 000 live births, with a margin of error of 31 per cent, which would mean a maximum of 460 maternal deaths. Maternal mortality accounts for 42 per cent of all mortality among women in the 15-49 age group. According to Government estimates for the year 2000, maternal mortality is likely to amount to between 800 and 1000 per 100 000 live births.

Causes of maternal mortality

1 – Hepatitis	16.5%
2 – Haemorrhage	13.4%
3 – Infection	11.6%
4 – Toxaemia of pregnancy	11.2%
5 – Other causes associated with childbirth	9.8%
6 – Difficult birth	9.4%
7 – Chronic disease	9.3%
8 – Coronary and circulatory disease	9.4%
9 – Acute infectious disease	4.9%
10 – Acute non-infectious disease	3.6%
11 – Unknown causes	0.9%

Infant and child mortality

While infant and child mortality rates have declined to a striking extent over the past five years, they remain comparatively high. High infant mortality rates directly affect the use of family planning methods, as women tend to have many children as a means of compensating for those who die. These repeated pregnancies have an adverse impact on women's health and on family living standards.

Children are more subject to contagious disease and epidemics than any other population group. Child mortality rates, health care availability, health awareness, good reproductive health practices and women's level of education are all strongly correlated.

Some child mortality indicators have declined markedly in recent years. In the 1960s, child mortality rates were in excess of 200 per 1000 births; by the 1980s the figure had fallen to 131 deaths per 1000 births, and in the 1990s the infant mortality rate was down to 75 per 1000 births, while the corresponding figure for children between the ages of 1 and 4 was 32. Mortality rates for children under the age of 5 have declined from 260 per 1000 live births twenty years ago to 105 per 1000 live births over the past five years.

Infant and child mortality, 2000

Infant mortality			
	Urban areas	Rural areas	Total
Boys	63.6	88.5	80
Girls	51.3	53.2	52.4
Total	50	72	67.4
Mortality among children under 5			
	Urban areas	Rural areas	Total
Boys	78.3	114	106
Girls	65.5	87	83
Total	72.1	102.7	94.8

Causes of child mortality

Child mortality rates are affected both by direct and by indirect factors. The leading direct causes are as follows:

1 – Respiratory diseases
2 – Diarrhoea
3 – Malaria
4 – The six killer diseases (tuberculosis, diphtheria, whooping cough, tetanus, poliomyelitis and measles)
5 – Meningitis
6 – Accidents

The indirect causes of child mortality are:

1 – Mother's educational level
2 – Quality of health care services available to mother
3 – Repeated pregnancies
4 – Mother's age at time of giving birth
5 – Use of *qat* and smoking
6 – Infant's birth weight
7 – Environmental factors such as availability of clean drinking water, sewage disposal system, sanitary housing conditions and the like.

Reproductive and child health

In recent years, the health services sector has developed comprehensive plans and projects in the area of reproductive health, featuring maternal health care, family planning, the treatment of sterility and sexually transmitted diseases, and the like. These services are available to other population groups besides women.

Fertility rates

Yemen is characterized by comparatively high fertility rates. In 1991-1992, the rate was 7.4 live births per woman. By 1997, the fertility rate had fallen to approximately 6.5 live births per women, and it had fallen further, to 5.8 live births per woman, by 2000.

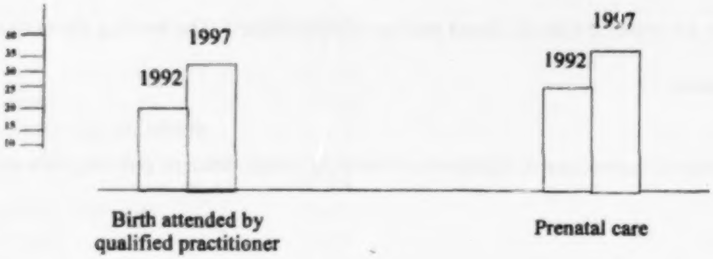
Care for pregnant women

A demographic survey on mother and child health, conducted in 1992, found that 26 per cent of all pregnant women received health care in that year. A follow-up survey, conducted in 1997, found that the corresponding figure for that year was 34 per cent, an increase of 8 percentage points in five years. Sixteen per cent of all deliveries took place under qualified medical supervision in 1992; by the time of the follow-up survey, that figure had risen to 22 per cent. With respect to prenatal care, the statistical data reveal substantial differences between urban and rural areas, with 73 per cent of rural women and 39 per cent of urban women having received such care.

However, despite these percentage increases both for women receiving prenatal care and for deliveries taking place under qualified medical supervision, the figures are still undesirably low. It is hoped that 60 per cent rates can be achieved by the end of 2005.

The percentage of women who prefer to give birth at home remains high: a national survey on poverty, conducted in 1999, put the figure at 79 per cent. This means that only a minority of women—21 per cent—prefer to give birth in a hospital or health centre. According to the survey, for Yemen as a whole, no more than 8.6 per cent of all home deliveries took place under qualified medical supervision. It is clear that this situation calls for an expansion of reproductive health care services and the training of more health service providers, while women must be encouraged to give birth under qualified medical supervision. Many women health care workers have been trained and are now providing services in rural areas. It is expected that 1500 midwives will have been trained by the end of 2001, and these will help to ease the shortage of skilled health care workers in Yemen's rural areas.

Figure 1. Prenatal care and deliveries under medical supervision



Family planning services

The Ministry of Health is seeking to encourage family planning as a means of checking Yemen's rapid population growth, improving maternal health and reducing maternal and child mortality rates. The Ministry's reproductive health programmes seek to provide mothers with simple, reliable services. There has been an encouraging increase in public awareness of the importance of family planning and the spacing of children. The available data indicate that many women have heard of family planning, and from a legal standpoint, family planning supplies may be made available and used without the husband's consent, except for a tubal ligation. Thanks to a number of factors, including greater social awareness, higher educational levels among women and declining living standards for Yemeni families, family planning has become increasingly acceptable. It is still not very widely practised, unfortunately, but the rate of use has risen to 30 per cent in recent years, compared to 20 per cent in 1997. The contraceptive pill is the most popular family planning method, with a 37 per cent use rate, followed by breast-feeding (which is regarded as a method of contraception), at 31 per cent. Family planning services are available from 98 per cent of all health care centres.

Contraceptive use among women between the ages of 15 and 49, in rural and urban areas (%)

1992 demographic survey			1997 demographic survey			2000 preliminary survey		
Rural	Urban	Total	Rural	Urban	Total	Rural	Urban	Total
6	28	10	16	36	21	9.04	34.8	15.5

A breakdown of family planning practice by contraceptive method reveals that the pill is the most widely used method, with a 37 per cent use rate, followed by breast-feeding at 31 per cent. We may note at this point that Yemeni women practise breast-feeding more out of ingrained habit and because of the economic situation than as a contraceptive method as such.

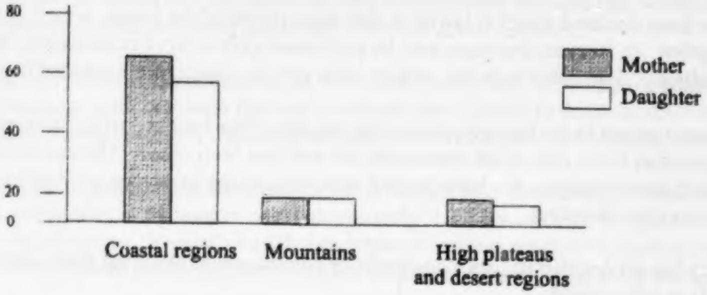
Female circumcision

Female circumcision leads to deformation of the woman's genital organs and entails other complications, including:

1. Pain and shock during the operation;
2. Haemorrhage;
3. Infection and inflammation;
4. Tetanus.

According to the 1997 demographic survey, approximately 97 per cent of all female circumcisions are performed at home by old women or traditional midwives, while 3 per cent are performed in medical institutions. A study conducted in 2000 found that 44 per cent of all female circumcisions were performed by traditional midwives, 45 per cent by beauticians, 3 per cent by relatives of the woman concerned, and 8 per cent by qualified medical practitioners (2 per cent by doctors and 6 per cent by nurses or midwives). The study also found that while 91.5 per cent of Yemeni women had been circumcised, only 79.3 per cent of their daughters had undergone the operation. There has thus been a substantial decline of 12.2 per cent in a single generation. The more recent figure is still high, however, and it is clear that the situetion calls for a considerable effort to make society aware of the dangers of this harmful traditional practice, with its damaging physical, social and psychological effects on girls and women. Female circumcision is prevalent mainly in the coastal regions of the country; it is less common in the mountains, the high plateaus and the desert regions.

Figure 2. Incidence of female circumcision, by region



Vaccination of children against the six killer diseases

The Government, through the Ministry of Public Health, is working to expand and strengthen the vaccination programme, because there are a number of serious diseases that can readily be eliminated by vaccinating children, and the necessary vaccines are available from primary health care centres in every Governorate in the country. The diseases in question rank among the major causes of child mortality.

The Government, in collaboration with UNICEF and the World Health Organization, has made an immense effort in this connection, providing substantial funding for the vaccination programme and organizing nation-wide campaigns to eliminate poliomyelitis.

Coverage rates in the case of the BCG tuberculosis vaccine were 63 per cent for boys and 61 per cent for girls in 1999, according to data from the national survey on poverty conducted in that year. The corresponding rates for DPT triple vaccine were 50.5 per cent and 50.4 per cent respectively, those for poliomyelitis, 56.1 per cent and 55 per cent, and those for measles, 53.2 per cent and 52.2 per cent. Owing to the prevalence of viral hepatitis, which is an endemic disease in Yemen, a vaccine providing protection against it was introduced for the first time in 1999 in the context of the vaccination programme. The vaccine is administered free of charge to infants in their first year, and for a nominal fee to children above the age of 1. If this programme is successful, all children under the age of 5 will be vaccinated free of charge beginning in the year 2000.

Abortion

In Yemen, abortion is a criminal offence, regardless of whether it is performed with the consent of the woman concerned or not. The penalty is payment of blood money and a term of imprisonment not to exceed five years. If the abortion results in the death of the woman concerned, the penalty is up to 10 years' imprisonment if the person performing the abortion is a doctor or midwife and the abortion is performed without the consent of the woman concerned.

In the case of an abortion performed with the consent of the woman concerned, the person performing the abortion is liable to payment of blood money, in full or in part, for the death of the foetus, and the woman in the case is not entitled to any share of that money. If the abortion results in the death of the woman, the person performing the abortion is liable to payment of partial blood money. A woman who aborts herself is liable to payment of partial blood money. There is no penalty for an abortion performed at the orders of a qualified medical doctor who decides that it is necessary to save the woman's life.

The Islamic religion prohibits abortion on the grounds that it is tantamount to the murder of an innocent person. However, abortion is lawful in the following circumstances:

1. Where the pregnant woman is suffering from a medical condition such that her pregnancy endangers her life;
2. Where a qualified specialist determines that the foetus is severely malformed;
3. Where the pregnancy results from a rape;
4. Where the foetus has died within the mother's womb;
5. Where haemorrhage and incipient miscarriage have occurred.

Experts in Islamic law have declared abortion lawful before ensoulment of the foetus, which is deemed to occur 120 days following conception. In Yemen, abortions may be performed only in the circumstances outlined above, and only in public health clinics. Some abortions are performed in private clinics, but no statistics are available.

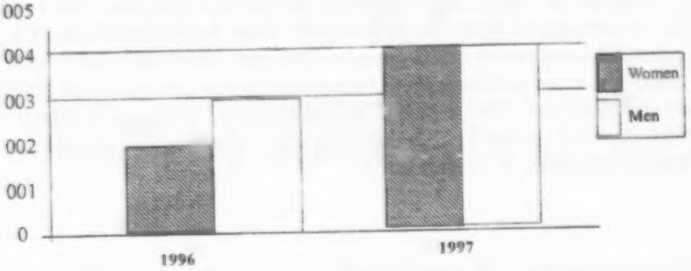
In all cases, an abortion may not be performed without the consent of the husband of the woman concerned, or the consent of the legal guardian in the case of an unmarried girl who has been raped. The cost of the operation is not covered under the health insurance plan available to civil servants, but the insurance coverage provided by some private-sector employers may include it.

The Ministry of Health has no detailed statistics on deaths or complications resulting from abortions, nor on abortions performed in private clinics.

HIV infection

There have been a number of cases of AIDS in Yemen, but no reliable statistics are available. At the end of the first quarter of 2000, the Director of the national AIDS control programme announced that approximately 806 cases had been reported. These, of course, are officially confirmed cases only. Statistics indicate that 44.5 per cent of the persons concerned are citizens of Yemen, while 55.5 per cent are foreign nationals. The available statistical data also reveal that whereas in 1995 there were four HIV-positive men for every HIV-positive woman, the numbers of HIV-positive women have increased year after year, until today the ratio is only two HIV-positive men for every HIV-positive woman. In a word, women are becoming progressively more affected by the virus.

Figure 3. Persons of both sexes displaying selected characteristics related to particular health hazards (%), 1996-1997



We may note at this point that men and women suffering from AIDS do not receive the health care or psychological services that they need in order to mitigate not only their health problems as such but also the psychological anguish resulting from the shock of learning that they have contracted the disease. AIDS awareness programmes are offered through the National AIDS Control Project; these consist of discussions, symposia and workshops on the hazards of the disease, media campaigns, and the distribution of information by various organizations such as the Yemen Family Care Association, which has done much useful work in spreading awareness of the dangers of HIV.

Unfortunately, these awareness programmes are not very effective in a society in which illiteracy is widespread and there is little understanding of the dangerous nature of this disease and its economic, social and psychological consequences. Accordingly, the competent agencies should act without delay to provide services for victims of HIV and make various forms of assistance available to them.

Health care for women with breast cancer or cancer of the uterus

We may note at this point that the national strategy and plan of action for the period 2001-2005 emphasizes the need to provide health care for women suffering from breast cancer or cancer of the uterus, and, to that end, to establish a network of examination and early detection centres. At present, however, those patients are treated in the same way as other cancer patients and patients suffering from other diseases. Consequently, women at risk of, or suffering from, these forms of cancer do not receive the treatment and rehabilitation services that would enable them to cope with the physical and psychological problems associated with this dread disease.

Furthermore, treatment and periodic examinations are very costly, and there are no public hospitals specializing in the treatment of breast cancer, with the result that many patients are doomed to death in short order. The only form of treatment available in Yemen is surgery; radiological treatment is available only outside the country.

Despite the fact that the incidence of these forms of cancer is known to be increasing, Yemen has no national centre to track trends and keep statistics in the matter, and consequently it is very difficult to organize adequate care or take appropriate management measures. Yemen's health and research institutions should conduct studies and clinical and theoretical research with a view to producing the necessary statistical data and upgrading the quality of the services available.

However, the National Cancer Organization, which was founded six years ago for the benefit of cancer victims of both sexes, and of women in particular, has taken various measures on its own initiative. It is implementing awareness and education programmes on coping with cancer, including in particular breast cancer and cancer of the uterus, and it provides financial, medical and social services for cancer victims. It is thus usefully supplementing the Government's very limited action in that connection, which consists of little more than providing small numbers of cancer victims with some financial assistance to enable them to seek treatment abroad.

It is clear from the foregoing that the authorities responsible for the health care sector should be prodded into upgrading the quality of services available to women suffering from breast cancer or cancer of the uterus. These forms of cancer entail serious physical, social and psychological consequences, not only for the victim herself, but also for her family and for society, in the form of the loss of a useful, productive member. The issue is one that should be addressed by the establishment of a national, Government-run centre for the treatment of cancer patients of both sexes. The centre should receive financial and technical support from the State, and it should act as a magnet for Arab and international experience in the field of cancer treatment, thereby affording a means of reducing foreign currency outlays for that purpose.

Article 13

Economic and social life

In July 2001, a general policy statement prepared by the Government of Yemen was read out in the Chamber of Deputies. The Government expressed concern about the status of women and the plight of low-income families, and announced a programme consistent with existing Governmental policies and objectives relating to poverty alleviation and the mitigation of its economic and social impact. The programme in question, which was to be implemented in a context of economic and financial reform, emphasized the development of human resources, the integration of women into development and greater participation by women in public life.

Priority was given to the objective of promoting and expanding the social safety net, and, in particular, providing assistance for low-income groups and social strata that have been hard hit by structural adjustment policies. One of the new programme's main targets is the creation of a social security system that will mitigate the adverse impact of economic reform on the poor and unemployed.

The Government also emphasized the promotion and development of social protection and social insurance systems through the provision of homes for juvenile delinquents, disabled persons and the elderly, and training centres for low-income women, either by increasing the capacity of existing institutions or by building new ones, diversifying their activities and upgrading the services they offer.

All these policies and programmes provide various benefits, direct and indirect, for families and women in an effort to provide them with adequate social protection.

In addition, the Government, through its various agencies, is offering women the same family benefit entitlement and eligibility for loans that are available to men. Equality between the sexes has been further strengthened by a recent amendment to the Social Protection Law (Law No. 31 of 1999) which broadens the range of family groups entitled to the benefits available under the Law, extending those benefits to orphans and low-income persons, among others. The Law also makes benefits available to women whose husbands are permanently absent or have disappeared and to their families, and also to the families of prison inmates and persons who are permanently or temporarily disabled.

All categories of persons covered by these social security provisions include both women and men. The benefits may be in cash, in kind or both. This Law defines a "woman with no provider" as one whose husband has died or divorced her, or one who is unmarried and is over 30 years of age, regardless of whether she has children or not. In all these cases, eligibility for assistance is conditional on the woman's being unable to work, having no regular income, and having no person who is legally required to provide for her support. The Law has been implemented through the establishment of the mechanisms listed below.

Social safety net

One of the most important mechanisms devised by the Government is a safety net designed to provide social protection and benefits to help families cope with the impact of Phases I and II of the economic reform programme, which has resulted in an increase in poverty. To that end, the Government implemented a series of measures and procedures aimed at putting the safety net in place without delay and endowing it with a social dimension, in 1995, during Phase II of the economic, fiscal and administrative reform. The objectives of the social safety net are as follows:

- Financial assistance and food aid to ease the burden of low-income people, both men and women;
- Job opportunities for unemployed persons who are fit to work, both men and women;
- More extensive participation by the institutions of civil society in the task of integrating social and economic development programmes;
- Strengthening of social integration through programme diversification and enhancement of service quality.

The establishment of this social safety net was marked by the founding of a number of institutions, which became operational over the three-year period 1996-1998. The task of ensuring that all the associated programmes were effectively implemented was entrusted to a supervisory committee.

A number of supporting mechanisms were also set up. The most important of these are described in the following paragraphs.

Social Welfare Fund

The Social Welfare Fund was established by Law No. 31 of 1996, as amended by Law No. 17 of 1999. Its function is to provide low-income groups with direct financial assistance. In 1997, 102 134 families received support. In 1998, approximately 100 000 new cases were examined, and as of the end of that year, 200 705 families had received assistance totalling 2 216 937 245 rials. During 1999, approximately 150 000 more new cases were examined, and assistance provided in that year totalled 4 944 200 000 rials. In 2000, a further 100 000 new cases were examined and added to the list of families receiving benefits, bringing the total to over 450 000 families receiving an aggregate total of over 7.2 billion rials in that year.

Public works project

This project, which was established by an executive order issued by the Council of Ministers (Executive Order No. 159 of 1996), is one of the components of the social safety net. It was adopted by the Government in collaboration with the World Bank and the International Development Association. Its objectives are as follows:

- To provide employment opportunities for women and men;
- To upgrade health and environmental conditions in general, and in the country's neediest regions in particular;
- To promote community participation in planning for the implementation of construction projects.

National economically productive families programme

This programme was established by executive order in 1988 in response to international, regional, Arab and national concern with issues relating to women and the family and their participation in the economic and social development process. The programme is supervised by the Ministry of Social Affairs and Welfare.

Year	Number of centres	Expenditures (rials and $)			Total			Number of women trained
		Local	Outside sources		Local	Outside sources		
1998	41	46 371 000	$ 16 000		46 173 000	$ 16 000		1 084
1999	41	33 600 000	$ 16 000		33 600 000	$ 16 000		
2000	46	107 000 000	$	rials	107 000 000	$	rials	12 844
			70 000 000	537 680		70 000 000	537 680	

National poverty alleviation and job creation programme

Implementation of this project began in June 1998, under an executive order (No. 168 of 1998) issued by the Council of Ministers. The cost of the project is US $ 40 million, and it is being funded by UNDP and its specialized agencies. It is aimed at developing services in the areas of social welfare, health, education, vocational training, economically productive families, rural development and human resources development.

Small Business Development Agency

This agency was established to provide loans under the supervision of the Industrial Bank, in co-operation with the Netherlands and the United Nations Capital Development Fund. Foreign aid for this project has totalled approximately five million rials in recent years, while the Government of Yemen has contributed approximately six million rials. The agency makes loans available on easy terms to heads of low-income families to enable them to launch small income-generating projects. In 2000, loans to women accounted for 8.74 per cent of all loans granted. The agency's mandate is to make loan services available to low-income families, university graduates, and graduates of vocational institutes and training centres.

Small Business Development Agency loans, 1991-2000

Year	Number of loans			Loans to women (%)
	Women	Men	Total	
1991	11	17	28	39.29
1992	11	32	43	25.58
1993	22	48	70	31.43
1994	61	57	118	51.69
1995	27	67	94	28.72
1996	101	89	190	53.16
2997	73	143	216	33.80
2998	63	89	152	41.45
1999	54	199	253	21.34
2000	16	167	173	8.74
Total	**439**	**908**	**1 347**	**32.59**

Productivity enhancement project

This project, which is similar to the Small Business Development Agency project, is being funded by the German Agency for Technical Co-operation (GTZ). The aims of the project are as follows:

- To foster participation in economic and social development;
- To enhance the productivity and upgrade the quality of existing small business projects, and to provide them with advisory services.

Social Development Fund

This fund provides services in regions of poverty and high unemployment. Its mandate is to identify women and men capable of starting small businesses and to place the necessary facilities at their disposal. The Fund seeks to establish direct relations that will strengthen people's confidence in projects financed by the Fund and the Fund's objectives, which are as follows:

- To make services available to the inhabitants of rural and urban areas;
- To encourage the establishment of productive agricultural projects in rural areas, especially projects managed by women;
- To encourage investment in family livestock- and poultry-raising operations and other income-generating activities for low-income and unemployed people as a way of contributing to local development and creating jobs.

Beneficiaries and job creation in the initial phase

Projects implemented during the initial phase of the Fund: direct and indirect recipients

Recipients	1997		1998		1999		2000		Total	
	Dir.	Indir.	Dir.	Indir.	Dir.	Indir.	Dir.	Indir.	Dir.	Indir.
Men	61 485	25 338	322 653	39 988	368 964	43 025	471 977	56 575	1 225 099	164 926
Women	58 171	24 946	292 406	35 696	337 071	337 071	480 481	39 897	1 168 129	139 007
Total	119 656	50 284	615 059	75 684	706 035	81 393	952 478	96 472	2 393 228	303 933

Jobs	1997		1998		1999		2000		Total	
	Perm. (No.)	Temp. (pers./ days)	Perm. (No.)	Temp. (pers./ days)	Perm. (No.)	Temp. (pers./ days)	Perm. (No.)	Temp. (pers./ days)	Perm (No)	Temp. (pers./ days)
Men	300	128 074	1 730	716 006	2 369	929 597	3 179	1 244 243	7 578	3 017 923
Women	149	1 520	441	1 249	643	2 488	532	3 916	1 765	9 174
Total	449	129 594	2 171	717 255	3 012	932 084	3 711	1 247 164	9 343	3 027 097

Project Microstart (small and very small loans)

This project had its origins in a survey of non-governmental organizations and associations that was conducted with a view to identifying the services those organizations and associations required. The cost of the project is US $1 613 000, and its objectives are as follows:

- Creation of opportunities for socio-economic development in all the Governorates of Yemen;
- Reduction of disparities between different social groups;
- Equal opportunity for all.

Borrowing by women

Yemeni women resort to borrowing only in particular circumstances, as, for example, family financial difficulties, a marital dispute, husband's death, construction of a house, launching of a business for which collateral in the form of land or other property is required, and the like.

Industrial loans

There have been few loans of this kind, but a positive trend appears to be setting in at the present time, despite the fact that the Industrial Bank went out of business early in 1999 after having been privatized.

Breakdown of recipients of small industrial loans by sex, 1991-1997

Year	Number of projects			Men/women ratio
	Men	Women	Total	
1991	23	17	40	73 %
1992	44	14	58	31 %
1993	77	27	104	35 %
1994	84	58	142	69 %
1995	82	38	120	46 %
1996	119	112	231	94 %
1997	57	37	94	64 %

Agricultural loans

These are loans made available to women by the Agricultural Credit Bank, exclusively for the purpose of enabling them to raise poultry, sheep, goats and cattle, and to engage in food product manufacturing. The Agricultural Credit Bank is the most active of all the country's banks in this area: owing to the fact that so many women work in the agricultural sector, the ACB decided to make loan facilities unconditionally available to all women. The ACB has opened branches in Ta'iz, Hodeida, Sana'a , Amran and Aden.

Insurance and pension fund

Many industrial and commercial firms contribute to social insurance coverage for their employees by paying monthly amounts into the Social Insurance Agency, which provides the employees in question with benefits in the event of death, disability, on-the-job injury or retirement.

Public and mixed corporations also provide their employees with low-interest loans.

Recipients of loans from the Social Development Fund, by sex, 1999-2000

Year	Recipients	Women	Men	Total
1999	Direct	337 071	368 964	706 035
	Indirect	38 368	43 025	81 393
2000	Direct	480 481	471 997	952 478
	Indirect	39 897	56 575	96 472

As will be seen from the above table, male recipients, direct and indirect, of loans from the Fund outnumber female recipients, despite the fact that most lending institutions now offer women borrowers various concessions and facilities to encourage them to borrow. The explanation is that women prefer not to go into debt, fearing that they may be unable to pay back the loan on time. In addition, they are discouraged by the members of their families, who also suspect that they would be unable to make repayment. Hence the disparity between men and women borrowers, which is exacerbated by a variety of social factors, all cultural and environmental in nature, rooted in the assumption that women are incapable of exercising responsibility.

Our discussion of all these issues has clearly shown that according to the available statistical indicators, women, both married and unmarried, but in particular married women, widows, divorced women and low-income women, are entitled to a variety of benefits and borrowing facilities made available by Government agencies, international organizations or organizations concerned with the status of women and women's activities. Unfortunately, as we have seen, women continue to face obstacles that make it difficult for them take advantage of these opportunities, especially agricultural, industrial and housing loans.

As further confirmation of the above, we may note at this point that women's entitlement to these loans is a personal right, one that a woman can exercise in all cases without the consent of her husband or legal guardian. In practice, however, a good deal depends on the cultural environment of the woman's family. That is to say, a woman from an educated family who is aware of her status in the family and in society is less subject to these socio-cultural restraints. In most cases, a woman prefers to seek the consent of her husband or legal guardian as a means of securing his solidarity and support in the event the project should be unsuccessful, and to ensure that he will help her confront any difficulties and obstacles that may arise.

A recent pilot project has produced some grounds for optimism. Loans were made available to disabled girls and married women, in the context of a larger project aimed at integrating women into the socio-cultural development process, and experience showed that the families of the girls women concerned, including the men in particular, were supportive and helped them to obtain their loans. This points to a positive change in attitudes and indicates that men are becoming more willing to share burdens and responsibilities with women.

Home Loan Bank

This institution does not discriminate in its dealings with men and women, but it offers preferential treatment for working women, as distinguished from housewives, simply because a woman who is earning income or owns property is a better risk: the bank can be confident of being repaid. A housewife may obtain a loan, but only if she owns property that she can offer as collateral.

Home Loan Bank loan recipients in the National Capital Region, by sex, 1995-1997

Year	Number of women	Number of men	Women as a percentage of all borrowers
1995	9	228	5.03
1996	4	159	5.02
1997	15	234	5.06

As will be seen from the above table, there are very few women borrowers, despite the fact that this is an issue of vital importance for women, enabling them as it does to provide stability for their families and protect them from problems of various kinds. There are various reasons why women do not secure loans from the Home Loan Bank:

- Substantial financial resources are required to repay the loans, and this deters many women;
- Lending facilities are generally not available, and this tends to discourage women from borrowing, whereas men are more inclined to take risks and are willing to carry a financial burden for a period of years.

Housing services

These services are still inadequate: there is not enough housing available for low-income families or families living below the poverty line. Accordingly, the Government has adopted, under its National Housing Strategy, the objective of providing suitable housing for every family. The updated Population Plan of Action for 1996-2000 contains policies and measures to that end. The main lines of emphasis are as follows:

- Preparation of a housing policy that takes the population growth rate into account;

- Development of appropriate solutions to current and future population issues, including the mobilization of both the public and private sectors for the construction of large-scale housing complexes as one useful aspect of a comprehensive approach to the population problem;
- Low-interest loans to individuals and groups interested in building housing projects for low-income families;
- Encouragement for housing co-operatives through the establishment of a federation to co-ordinate their efforts;
- Action to address the problem of squatters living in makeshift housing in slums on the outskirts of major cities, especially Sana'a , Aden and Hodeida, by building social housing and providing these population groups with better-quality services;
- Enactment of legislation designed to check the encroachment of residential construction on to farmland, resolve disputes over residential land and regulate relations between landlords and tenants.

Unfortunately, this plan has not yet been given material form in programmes or projects for investment in housing aimed at providing low-income families and families below the poverty line with adequate housing, nor has social housing been built to accommodate the population groups that are desperately in need of it.

Needs in this area, in fact, are considerable. Statistical indicators on the housing situation show a shortage of 20 000 housing units in the country's six largest cities. Even that figure allows only for urban growth; it tells us nothing about housing needs in other regions.

This objective of providing housing for all families is undoubtedly an ambitious one, especially in view of the Government's limited resources and the economic and financial difficulties confronting the country as a result of structural adjustment policies and programmes. Consequently, the only housing actually being built at present consists of flimsy dwellings erected by the efforts of people themselves, devoid of such amenities as running water, lighting and sanitation. Most low-income families and families living below the poverty line cannot hope to build adequate housing by their own efforts, condemned as they are to a constant struggle to obtain the necessities of life.

It would seem, then, that the objectives set forth in the National Strategy and Plan of Action are unlikely to be attained in the near future, especially in view of the fact that neither the public nor the private sector is investing much in housing services.

Health insurance programmes

The implementation of economic and fiscal reform policies and programmes has had a range of negative effects, including lower levels of public spending on basic services such as health care. Health care services now account for no more than three per cent of all Government spending. Furthermore, the privatization of a number of health care institutions has resulted in some families and some women being deprived of services. The Government does pay for treatment outside the country where appropriate treatment is not available in Yemen, albeit not in all cases and not the full cost: it makes limited financial assistance available upon presentation of a medical certificate issued by one of the leading public hospitals or a report issued by a board of specialists stating the nature of the disease and certifying that it is serious. In view of the complexity of this procedure, it is of little use in urgent cases.

In 1991, pursuant to an executive order issued by the Council of Ministers (No. 361), the Government instructed a number of health care institutions to develop a health insurance plan. An interministerial committee was appointed for that purpose, and in due course produced a draft project for the establishment of a Public Health Insurance Agency. Unfortunately, nothing more has been heard of the proposed Agency, despite the importance of the matter and the manifold advantages of better health care for the population in general, including women.

Recreational and cultural programmes and activities

While it is true that Yemeni families enjoy many benefits, there are some areas in which not much is available to them. This is particularly true of recreational and cultural programmes and activities, such as cultural, social and sports clubs, facilities for dramatic performances and public libraries, which are few and far between. There are, however, some programmes for young people of both sexes (not including married women) which are run by the Ministry of Youth and Sports, with the aid of resources made available by the United Nations Population Fund (UNFPA). In addition, there are a number of national associations and organizations which have established youth hostels and holiday camps in the various Governorates, while the Guides and Scouts organizations provide opportunities for various cultural and sports activities as well as recreational and artistic events featuring drama and singing. The most noteworthy feature of all these activities, however, is that they are aimed essentially at boys and young men; cultural associations and sports and leisure activities for women are very few or nonexistent, being provided neither by the Government, nor by non-governmental organizations nor by the private sector. Consequently, women and young people of both sexes chew *qat* as a means of escape and a means of forging social and cultural bonds. Women's *qat* sessions provide compensation for the lack of cultural and recreational programmes and services.

Legal and cultural barriers to participation by women in recreational and sports activities and various aspects of life

Women's roles, and the status of women generally, are influenced by the country's prevailing ideology and legal system, and also by its cultural and class situation, degree of urbanization and socio-economic growth pattern. These various factors ultimately determine women's identity and the roles they are required to play. That identity is changing as the ambient socio-economic circumstances change and new and different social imperatives appear in response to new ways of living and more enlightened cultural trends.

Strictly speaking, there are no legal barriers, as such, to participation by women in recreational and sports activities or other aspects of life; on the contrary, legislation has been enacted with the express intent of broadening the basis of such participation. The application of the laws in question, however, has tended to have the opposite effect. The main cultural barriers are summarized in the paragraphs below.

There is little understanding or awareness of the fact that girls and women need activities of these kinds. For the most part, this is attributable to the family and social conditioning to which girls are subjected as they grow up. That conditioning is marked by indifference to the need to endow women with the abilities and experience that would enable them to control their feelings of fear, anger, humiliation and other negative feelings. These activities would enable women to become psychologically stable and teach them to express their feelings in a healthy and vigorous way. They would also help women learn to behave straightforwardly and to be punctual and conscientious in their work, and would serve to relieve their tensions and frustrations. A survey of the family and social conditioning that girls undergo and the socio-cultural justifications offered in its defence will provide us with a clearer view of the feelings, standards and orientations that are the constituents of the prevailing system of social values, the main features of which are as follows:

- Stereotyped traditional roles for both sexes in the family context, which constitute an obstacle to participation by women in recreational and sports activities;

- Awareness, outreach and family education campaigns that have been unable to permeate the fabric of society, having had an impact only on limited social strata and having left untouched the much broader and more numerous social strata that are most in need of information about the importance of these activities for girls and women;

- Cultural rejection of participation by women in various aspects of social and cultural life, with the result that they have remained confined to marginal roles in many areas, including recreation and sports;

- Differences of opinion concerning the changing roles played by Yemeni women, and attempts to use those differences in ways that do women a disservice and complicate the issues involved. This is attributable to the effect of the dominant family and social culture: girls and boys are brought up and educated differently

> from an early age, and this differentiation is reinforced by social institutions such as schools, association with women and men respectively, and the workplace, all of which function as extensions to the family environment and the inter-generational conflict that goes on within families (involving fathers, older brothers, husbands or legal guardians). These factors strengthen the values that tend to discourage participation by women in these various activities and further emphasize the differences in the way the sexes are treated at every stage in their upbringing and education. The beginnings of a change for the better are discernible today, but most segments of society have remained unaffected as yet.

While there are certainly disparities between men and women in the fields of education, employment and culture, as we have seen, Yemen's mainstream cultural and media discourse, so far as its general content goes, does not adequately reflect the importance of the role played by women in those fields, except as regards a number of narrowly defined activities. A true picture of the extent of women's participation and the diversity and importance of their roles in that connection for their own lives, for their families and for society, is not conveyed. It is essential to make society aware of these issues and to bring about a change in the prevailing negative image of women, which has functioned as a cultural barrier to the advancement of their present lowly status and the strengthening of their position within their families and within society in general.

As long as women in general, and low-income women in particular, are a weak and ineffectual element in society, they will undoubtedly continue to be the victims of these cultural values, deepened and reinforced by negative social values, as we can see from the constant example of the effect of living alongside dominant cultures. The negative impact of Yemen's family and social cultures on people's level of awareness, the choices they make and the way they lead their lives is more discernible in rural areas than in urban areas, and affects elderly people more than young people and illiterates, of both sexes, more than educated people.

Women are regarded as untrustworthy, they are not consulted, and they are excluded from participation in decision-making about issues that are of crucial importance for their own lives. These attitudes have given rise to various negative psychological characteristics in the case of some women, such as submissiveness, feelings of inferiority, dependency, unwillingness to participate and acceptance of traditional stereotyped roles.

As will be apparent from the above discussion, there are various aspects of Yemeni culture that confer a privileged position on men and constitute obstacles to gender equality. Those obstacles have deep-rooted psychological, socio-cultural, economic and environmental causes, and further studies in greater depth will be required to elucidate the various factors that bar women from effective participation in all areas of life.

Article 14

Rural women

As a prerequisite for an analysis of the situation of Yemen's rural women, it is essential to consider the nature of the problems confronting them and the important economic and financial role they play in contributing to the support of their families and sustaining their society. In this connection, we must note that rural women constitute a vulnerable social group, owing to the difficult circumstances in which they live, and that many of the social opportunities available in urban areas are denied them. In today's conditions, rural women are unable even to feed their families adequately, much less contribute to the food security of the country as a whole. Disparities between different geographic regions and the impact of those disparities are another factor that must be taken into consideration.

As regards agricultural production, rural women in areas of rain-fed farming in Yemen are responsible for producing food for their families, and also for looking after the family's livestock, while the men are responsible for growing cash crops.

Besides growing food for her family and looking after the animals, a rural woman takes care of all the household's needs, and moreover her reproductive function continues to be central, not only in the eyes of society but in the woman's own eyes. In addition to all this, a rural woman must supply the family's water and firewood, and these tasks can be very arduous and time-consuming, especially when water and firewood are not available near the village and must be brought in from considerable distances. The average Yemeni rural woman spends 16 hours a day on agricultural tasks and housework.

Rural women's tasks are physically demanding and time-consuming, especially since the work must be performed by hand or with simple tools. Their contribution to crop and animal production is not evaluated at its true worth, for the simple reason that for the most part, it is not part of the money economy, and consequently is not covered in surveys, considered for census purposes or included in the national accounts. This situation has a negative impact on the status of rural women and makes it difficult for them to participate effectively in the activities of the community. Furthermore, farm credit facilities and the like are made available exclusively to the male farmers who grow the cash crops. Compelled as they are to use technologically primitive tools, rural women are, inevitably, not very productive. Nor do they have access to up-to-date information about farming methods or the care of livestock, with the result that their tasks must be performed manually and require a great deal of time and effort (the average Yemeni rural woman spends three hours a day feeding her cattle). Veterinary services are usually not available, and women veterinarians are very few and far between indeed. Consequently, rural women devote much time and effort to gathering fresh fodder, feeding their animals, milking them, grinding grain, carrying water, gathering firewood, shaping manure into cakes for use as fuel, making butter from cream, threshing grain and performing a multitude of other tasks, all by hand.

One result of this division of labour is that women are excluded from the money economy, especially since men are in charge of marketing all farm products, including those that are produced by women, such as surplus vegetables or livestock. Women are thus denied the right to dispose of the fruits of their labour and have no share in the income generated thereby. Because of the strict traditions governing the division of labour and forbidding women to frequent markets, they are unable to acquire the skills the money economy demands, such as preparing a budget, keeping track of income and expenditure, engaging in trade and so on. These skills would be highly useful in enabling women to secure employment and participate in decision-making, not only within their own families but in public life.

Rural Yemeni women engage in agricultural production, but they do not control the means of production, such as land, water, farm equipment, credit and capital, and furthermore, they are subject to restrictions that prevent them from acquiring such control. It is sometimes difficult for a woman to own farmland, and even those who do own land are unable to dispose of it as they see fit, except in areas where there are many women heads of families.

It is contrary to the tenets of Islam for women to be denied the right to inherit land, but the prevailing social traditions deny them that right none the less. Most Yemeni rural women submit to those traditions and renounce their right to land in favour of their nearest male relative. There are no statistics on the division of land ownership between men and women in Yemen, owing to the complexities of land registration procedures, which are very difficult for women who cannot read and write. Furthermore, it is contrary to tradition in rural areas for women to register land in their own names, and a woman who wished to assert her right to own her land by bringing a court action would have to face social disapproval. In addition, land registration fees are very high, and this is a further deterrent, especially for poor women.

Because women are denied their right to own land, they cannot accumulate capital; nor can they obtain loans, which are ordinarily available only to persons who have land that they can put up as collateral. As a result, the vicious circle of poverty among women continues to expand.

To illustrate the issue of the control of capital, we may note that owing to the traditional division of labour in rural Yemen, a woman may acquire capital in kind, in the form of draft animals or simple agricultural tools such as she needs in order to perform her everyday tasks. Her husband, on the other hand, enjoys a monopoly on all market-related activities, and consequently can accumulate capital in the form of cash, and this, combined with his ability to dispose of the land as he sees fit, means that he can usually have access to credit facilities.

Owing to this gender-based division of labour that restricts women to the subsistence economy while men monopolize the cash economy, it is also difficult for women to obtain access to labour-saving technology that would enhance their productivity. Nor is it feasible for them to participate in irrigation projects, which are usually designed for cash crops, and, as we have seen, cash crops are the preserve of men. Similarly, women are denied access to agricultural extension services for socio-economic and cultural reasons. This is most unfortunate, as services of that kind would be most useful to them.

The resources referred to above are of great importance for rural women in terms of their ability to achieve food security. In practice, men control decision-making processes in the areas of agriculture and livestock production, despite the fact that these fall within women's area of responsibility. In addition, men wield exclusive decision-making authority in financial matters, i.e. all matters relating to credit, loans, marketing, income distribution and savings, and also in family matters, such as divorce, marriage, the education of children, the location of the family home, and the like.

National strategy for a gender perspective in the area of agriculture and food security

A number of policies and special programmes have been adopted in recent years with a view to meeting the needs of rural women, and in 1998, the Government, represented by the Ministry of Agriculture and Irrigation, embarked on the development of a national gender strategy in the area of agriculture and food security. The main lines of that strategy are as follows:

- Fuller integration of the gender issue into the development process, i.e. making women equal partners with men in the effort to achieve sustainable human development;
- Action to address the problems of food security and worsening poverty, which call for serious, meaningful corrective measures;
- A closer focus on the vital role played by rural women in food production, which is the backbone of a viable food security strategy;
- Action at the family level to address the economic, social, cultural and legal problems and difficulties that restrict the role played by women, with a view to enhancing their ability to work and produce effectively, enabling them to meet their food security needs and eliminating poverty;
- Action at the national level to eliminate structural obstacles to full and effective participation by rural women in the process of development and social change.

Objectives of the 1998 national strategy for a gender perspective in the area of agriculture and food security

This strategy includes long-, medium- and short-term objectives.

Long-term objectives

1. Establishment of a quantitatively and qualitatively solid basis for sustainable food and livestock production with a view to self-reliance;

2. Mobilization of the country's untapped human resources, including both men and women, with a view to deriving the fullest possible benefit from their capabilities and reducing the gap between the sexes, with emphasis on women as a socially marginalized population group that represents an untapped human resource *par excellence*, and bearing in mind the urgent need for positive discrimination to promote the status of women;

3. Promotion of rural women as a means of economic, productive and social change and development, through the elimination of the economic, social, cultural and legal barriers to equality between the sexes and effective participation by women in the development process.

Medium-term and short-term objectives

1. Formulation of a gender-sensitive agricultural strategy in the framework of a national development strategy, i.e. the incorporation of women's concerns into the process of planning and implementing agricultural policies, programmes and projects;

2. Promotion of gender awareness among all those involved with the national agricultural strategy and the development of rural women, through training in communication skills;

3. Action to help rural women achieve greater efficiency in their agricultural and livestock production activities by enhancing their knowledge and awareness and upgrading their skills relating to the use of natural resources such as land, water and the like, and action to help them, as food producers, emerge from a subsistence economy and acquire the capital and basic skills needed to enable them to join the money economy.

Owing to their socially marginalized position, women have been adversely affected by the gap between urban and rural areas to a greater extent than men. For Yemen as a whole, for example, the illiteracy rate is 54.4 per cent. However, a breakdown by sex reveals that for persons aged 10 and older, 16.3 per cent of all men are illiterate, while the corresponding figure for women is 45.9 per cent, and a breakdown by area reveals that the illiteracy rate in urban areas is 35 per cent, whereas in rural areas it is 84 per cent. Girls and women are invariably the first victims of resource shortages and rising costs in the area of specialized social services. The methods used within families to socialize children reflect a system of preference that is expressed in a division of tasks unfavourable to girls, who are burdened with many household tasks, such as carrying water and firewood, sometimes from considerable distances. Girls and women spend between four and six hours daily performing tasks of this kind, with the result that their health is undermined and they become more vulnerable to disease; this situation is aggravated by the fact that health care centres are few and far between, and in any case it is difficult for women to take advantage of their services. In addition, rural women are unable to attend school, so that the education gap between the sexes in rural areas continues to widen, further marginalizing women, limiting their ability to participate effectively in economic and social affairs and other areas of public life and excluding them from decision-making.
Legal discrimination, as such, does not exist, but, unfortunately, laws can be improperly applied. Yemen's legislation does not contain any discrimination against women in itself; discrimination arises from socio-cultural factors, as we have seen in the matter of the right to own land.

We may note at this point that according to the 1994 census, Yemen's labour force numbers approximately three million, making a participation rate of 24 per cent. Most working women (87.5 per cent of the total) engage in agriculture; of those, 98.37 per cent work in rural areas, and only 1.63 per cent in urban areas. It is thus apparent that an overwhelming majority of women work in the agricultural sector, especially in rural areas. There are a number of reasons why this is the case:

1. More Yemenis live in rural areas than in urban areas;

2. Traditional agricultural production does not require high levels of education or skills;

3. The tendency of Yemeni men to migrate internally or to emigrate from the country in search of better living conditions for their families has inevitably meant heavier responsibilities for rural women, who have to perform all the farm work in addition to all the household work;

4. Most rural women work on land that belongs to a family member, such as a father or husband. Some 79.49 per cent of women in this position work without pay, their farm work being regarded as an extension of their household duties. Moreover, working on the farm means that there is little likelihood of their having to associate with outsiders;

5. The ongoing exploitation of rural women's work for the benefit of a father, brother, husband or husband's relatives takes place within a context of traditional economic relationships and social concepts that continues to be prevalent in rural areas. Rural women perform 97 per cent of all agricultural tasks, including tillage, weeding, planting, harvesting and storage of crops. In addition, they also perform household tasks: preparing meals, cleaning, carrying water and firewood, sometimes from considerable distances, and caring for children.

Health care

Four per cent of all Government spending goes for health care services, and this explains why those services are so scanty in rural areas. Disease is more prevalent in rural than in urban areas: the incidence of malaria is 98.87 per cent, that of other febrile illnesses 80.49 per cent and that of diarrhoea 78.87 per cent, while poliomyelitis strikes 8.13 per cent of rural children. The median age indicator for inhabitants of rural areas is 13.6 per cent, compared to

66.6 per cent for city-dwellers. The fertility rate is 7 per cent for rural women, whereas for urban women it is 5 per cent. Mortality among children up to the age of 4 is 65 per cent for girls and 85 per cent for boys.

The maternal mortality rate, i.e. deaths from causes relating to pregnancy and childbirth, for rural and urban areas combined is 800 per 100 000 births (according to the 1994 census). Maternal mortality accounts for approximately 42 per cent of all deaths among women in the 15-49 age group (women of childbearing age). The overall death rate for women in that age group is low (less than one per cent), but maternal mortality is clearly the leading factor.

Mortality among women from disease is double the corresponding rate for men. In general, however, statistics on this category of mortality and on maternal mortality are scanty and not accurate; nor are they broken down for rural and urban areas. The health care system does not keep statistics on maternal mortality as such. Data from the 1997 follow-up survey on mother and child health put the maternal death rate at approximately 351 per 100 000 live births. However, those data are subject to a margin of error of 31 per cent, which means that the rate could be as high as 460 per 100 000 live births. Maternal mortality rates are higher in rural areas than in urban areas, owing to the higher level of health awareness among urban women and the fact that they tend to make greater use of mother and child health care and family planning and reproductive health services than their rural counterparts.

Nutritional status of women

The table below shows the nutritional status of women as determined from clearly defined criteria, such as weight and height of women having at least one child. The object of the exercise was to determine the nutritional status of women of childbearing age, exclusive of women who were pregnant at the time of the survey. The threshold value below which a woman is deemed to be suffering from malnutrition is a body mass index of 18.5 for a height of between 140 and 150 centimetres (for non-pregnant women).

Nutritional status of women, by height and body mass index

Age	Mean height	% under 145 cm	Mean	% with body mass index under 18.5
15-19	152	8	20	29
20-24	153	8	28	28
25-29	153	9	28	28
30-34	153	10	23	23
35-49	153	9	22	22
Total	153	9	21	25
Area of residence				
Urban	153	8	23	16
Rural	153	9	21	28

As will be seen from the above table, the mean height of Yemeni mothers is 153 centimetres, but 9 per cent of them are under 145 centimetres in height. Their mean body mass index is 21, but approximately 25 per cent of them have a BMI that is under 18.5, which means that a quarter of Yemeni mothers are suffering from malnutrition, not only in rural areas but throughout the country. This phenomenon is largely attributable to the spread of poverty, especially among women, with the concomitant phenomena of poor food quality, low income levels, lack of education, a low level of nutritional awareness, repeated childbearing and other factors. Women in rural areas do have access to educational and outreach services provided by women health advisors and rural advisors under a variety of development programmes for rural women, information and communication programmes, and other programmes and services delivered by Government ministries and various associations and organizations that provide rural women with maternal health care and prenatal care. Unfortunately, no statistics on these services are kept, and consequently reliable data are not available.

There are also programmes designed to make family planning services available to women in rural areas, but the rate of contraceptive use is very low in Yemen, compared to other countries, and few rural women take advantage of those services. Numerous studies have shown, however, that the situation has improved in the course of the past decade, with the use rate rising from approximately 1 per cent to first 3 per cent and then 10 per cent, according to the findings of the 1991-1992 demographic survey on mother and child health (which counted breast-feeding as a method of contraception). Clearly, then, what is required is a greater effort to make mother and child health care services and family planning services more readily available, especially in rural areas. This would be a useful means of upgrading the health status of women and enhancing their participation in community activities generally.

Statistical data on contraceptive use in Yemen today indicate that the method of prolonged breast-feeding is preferred by most women (8 per cent); this is a traditional contraceptive method that is still widely practised. Among modern methods, the pill heads the list, with 4 per cent, followed by the intrauterine device with 3 per cent, tubal ligation with 1.4 per cent and injections, with 1.7 per cent. Among users of traditional methods, 2 per cent rely on the safe period and withdrawal. Women in the 45-49 age group prefer tubal ligation (4 per cent), presumably because these older women do not wish to have any more children at all.

Infant mortality

The available statistical data on infant mortality refer to the country as a whole; they are not broken down by rural and urban areas. However, the 1997 demographic survey revealed that there had been a marked improvement in the space of a quarter of a century, the mortality rate for male infants having declined from 148 per 1000 live births in the course of the 15 to 19 years preceding the survey to 48 in the five years preceding it, and the rate for female children under the age of 5 having declined from 199 per 1000 live births in the course of the 15 to 19 years preceding the survey to 97 during the final five years. Statistics relating to the five years preceding the survey show that for the country as a whole, mortality among male infants under one year of age is higher than mortality among female infants. Beyond that age, however, mortality rates for female children rise, ultimately exceeding the corresponding rates for male children. This may point to a tendency to give boys preferential treatment in terms of health care and nutrition.

Social insurance programmes

Rural women are covered under the social insurance programmes delivered by the social safety net programme and its constituent mechanisms, especially the Social Welfare Fund, which provides low-income women and families in rural areas with assistance in accordance with the terms and conditions set forth in Law No. 31 of 1996 and amendments thereto, notably the "General conditions governing assistance" formulated in Chapter II of the Law, sections 12-24.

Co-operative associations

Co-operative associations are important structures for many inhabitants of rural areas, and women participate in their activities as full members. Many co-operative associations have been founded by rural women, including:

The Al-Arkoob Association, in Al-Mahweet Governorate, trains its rural women members in beekeeping and beehive construction, to enable them to produce more honey of better quality and thereby to earn additional income.

The Al-Suda' Women's Agricultural Co-operative in Guail Bawazir, in Hadhramaut Governorate, seeks to attain the following objectives:

- Establishment and development of co-operative relations between people;
- Provision of agricultural inputs, seeds and improved breeds of sheep and cattle with a view to upgrading crop and livestock production;
- Action to facilitate access by the Co-operative and its members to loans and credit facilities from banks and financial institutions, and co-ordination to that end with the Federation of Agricultural Co-operatives and the competent Ministry;

- Implementation of agricultural production and advisory projects, and action to derive benefit from projects in its area of interest that are executed by the Government under its economic development plan.

The Rural Women's Association in Hajja Governorate, which pursues the following objectives:

- Higher income for households;
- Action to enhance awareness of the importance of education for rural women and to encourage them to attend literacy courses;
- Action to enhance awareness of health issues among rural women.

The Al-Nahda Women's Association, which pursues the following objectives:

- Increased income for rural women through the establishment of small business ventures;
- Enhanced awareness of health issues;
- Enhanced awareness of the importance of education, and encouragement for women to attend literacy courses;
- Action to facilitate access to credit.

There are a number of agricultural co-operative associations with members of both sexes, including:

1. Al-Safa' Social Charitable Association in Utmah, Dhamer Governorate;
2. Mikhlaf-Samah, Dhamer Governorate;
3. Al-Hayat Agricultural Co-operative Association, Ta'iz Governorate;
4. Wadi Hardha Co-operative Association, Shabwa Governorate;
5. Social Charitable Association of Al-Ghurfa and outlying areas, Hadhramaut Governorate;
6. Sadah Co-operative Association in Al-Dimnah/Khadir, Ta'iz Governorate;
7. Saba Agricultural Co-operative Association, Marib Governorate;
8. Al-Ma'afer Agricultural Co-operative Association, Ta'iz Governorate.

Loan funds

There are a number of loan funds in Yemen, including:

The Agricultural Credit Bank, which has branches in most Governorates. The ACB makes small loans available for livestock production. However, few rural women make use of its services, partly because of the high interest rates it charges and partly because they do not have property to put up as collateral.

The Agriculture and Fishery Promotion Fund makes loans available to rural women and women who work in the fishery sector. These loans are designed to enable recipients to execute projects in a number of areas, including:

- Small-scale sheep and cattle raising;
- Expansion of cotton-growing;
- Funding for co-operative farming ventures specializing in dairy production;
- Fishing boats and marine engines that can be used by fishermen and their families;
- Support for a project involving the expansion of areas planted to palm trees;
- Improved seeds for wheat and vegetable production;

- Farm machinery and equipment, such as tractors and various implements, and other agricultural inputs.
- Inputs for seedling production;
- Vaccines against rinderpest and sheep pox;
- Support for the marketing of rural women's agricultural production, through the construction of a potato storage and marketing centre in Amran;
- Construction of a fish marketing centre in Zingibar, Abyan Governorate;
- Economic feasibility study on agricultural and fisheries projects;
- Support for the work of the Federation of Agricultural Co-operatives.

Financing to the value of 40 per cent the Fund's loans to rural households is provided in the form of grants, on condition that the recipient puts up 20 per cent. Forty per cent of the loan is made available at the beginning of the project, and 40 per cent over the next two years, while the project is being implemented.

Projects designed to encourage small-scale sheep- and cattle-keeping by rural families are useful to women in particular and to families in general. In 1997, 320 projects of this kind were launched, representing a total cost of 10 887 000 Yemeni rials. The corresponding figure for 1998 was 1160 projects, for a total cost of 95 768 461 rials.

All the Fund's loans are beneficial to rural women, directly or indirectly, and furthermore they are available to women in most of the Governorates of Yemen. However, rural women need even more loan capital, and accordingly easier eligibility criteria, less stringent conditions relating to collateral and lower interest rates are essential. In addition, lending institutions should expand their services by opening branch offices in rural areas and hiring more women employees to serve the farm women who are their customers.

Loans to rural women for sheep- and cattle-keeping projects, 1998

Year	Total cost	Financing made available by the Fund		Repayments as at February 1998
		Grants	Soft loans	
1997	10 887 000	7 887 000	9 600 000	561 620
1998	95 768 461	35 341 355	42 740 459	

Government projects and programmes for rural areas

Local initiative to support family food security. This project is designed to upgrade the living standards of 4320 low-income rural families, especially families headed by women, through the introduction of soil conservation techniques and the promotion of vegetable and fruit production.

Wadi Radaa rural development project. The aims of this project are to upgrade the living standards of the inhabitants of the Radaa region through the establishment of basic services, and to raise the incomes of low-income rural families by enhancing small farm production and productivity and implementing agricultural projects.

Rehabilitation of areas affected by flooding. The aim of this project is to rebuild economic infrastructure that has been damaged by flooding, including roads, farms, rural water supply systems, transportation and communication facilities, housing and public health and education services.

Marib Dam project (phase II). The aims of this project are as follows:

- Rainfall storage for purposes of agriculture and the expansion of arable land areas;
- Reducing production costs through the construction of irrigation channels;
- Preservation of the ground water table and reduced dependence on dug wells.

Environmental protection and sand dune stabilization in the Tihama region. The aims of this project are as follows:

- Controlling the movement of sand dunes;
- More efficient use of water in rural areas;
- Training for employees of the Tihama Agency for Development, especially women employees, in income-generating activities.

Development of agricultural co-operatives. The aims of this project are as follows:

- Upgrading agricultural product exporting operations;
- Raising the income levels of members of agricultural co-operatives;
- Exporting larger quantities of local products;
- Job creation;
- Increasing the Government's hard currency reserves.

Soil and water conservation project. The aims of this project are as follows:

- Support for agricultural development, rational water use and soil conservation;
- Reduction of water losses through the introduction of drip irrigation.

Beekeeping development project. The aims of this project are as follows:

- Provision of advisory services for beekeepers;
- Training for extension personnel;
- Support and assistance for the establishment and effective functioning of beekeepers' associations.

Coffee-growing development project. The aims of this project are as follows:

- Further enhancement of production;
- Making optimal use of available water resources;
- Promoting stability and sustainability for producers.

Many projects were implemented in 1998 and the preceding years. The above-mentioned projects are expected to be completed by 2000 or 2002.

Marketing of agricultural products

It is clear that small income-generating projects for rural women are urgently needed. In order to be viable, such projects must be related to the women's farming and livestock-keeping activities and must afford increased scope for the marketing of their various products, while not adding to their existing burdens. They must also strengthen the role played by rural women and enhance their position within their families and in society through the development of local production and marketing systems. In addition, projects of this kind should provide women with appropriate training and skills development opportunities. Lastly, they should be characterized by a focus on production- and marketing-related statistical data and indicators that can be used in the formulation of general policies and programmes designed for the benefit of rural women.

Agricultural extension services

One of the most important aspects of the Ministry of Agriculture and Irrigation's current planning is the recruitment of more qualified women agricultural extension personnel to work in rural centres as a means of reaching rural women. To that end, training courses for prospective women agricultural extension workers are to be organized. The Federation of Agricultural Co-operatives is in the process of establishing a department that will be concerned expressly with the development of rural women's co-operatives, with a view to reaching that component of the rural co-operative movement more effectively. The Ministry of Agriculture and Irrigation, for its part, is also seeking to encourage the establishment of co-operative associations in an effort to make its services accessible to as many rural women as possible.

Difficulties encountered to date

As we have seen, the Government has taken a great many measures aimed at enhancing the quality of people's lives in economic and social terms; one obvious example is the social safety net and its constituent mechanisms. However, the system is confronted with a number of difficulties, of which the following are the most important:

- It has not been feasible to extend social safety net coverage to all population groups that are in need of it, especially in remote rural areas;

- There is no reliable statistical data base on recipient groups and persons on waiting lists. An adequate data base would afford a means of overhauling the social security system to ensure that all needy persons were covered, especially low-income women. It is essential to provide an adequate range of services, and to ensure that the associated procedures are not such that women are unable to make use of them because of ignorance or because they do not realize the importance of the services in question.

- No clear-cut strategy has yet been developed for extending the system's geographic coverage in accordance with population density and on the basis of criteria relating to actual needs, or for setting priorities as determined from properly conducted studies.

Article 15

Equality between men and women before the law

As is well known, society consists of men and women; they are the twin bases on which all human societies are built. In accordance with this fundamental principle, the men and women who constitute Yemeni society are concerned to respect each others' rights, aware as they are that they are complementary. In addition, under the Constitution and laws of the Republic of Yemen, men and women are regarded as equal in respect of their rights and duties *vis-à-vis* the various Governmental authorities at all levels, without any discrimination or limitation on the rights of either sex in favour of the other. This principle is clearly formulated in Article 41 of the Constitution, which states, "All citizens are equal in respect of public rights and obligations." Article 31, for its part, states, "Women and men are sisters and brothers, enjoying the same rights and subject to the same responsibilities in accordance with the provisions of the *Shari'ah* and the law." It is clear from this passage that men and women are on an equal footing with respect to their enjoyment of rights and their duty to fulfil obligations.

Article 24 of the Constitution states, "The State shall guarantee equal opportunity in the political, economic, social and cultural spheres for all citizens, and shall enact laws to that end," while Article 4 states, "The people are the possessors and the source of power, exercising that power both directly, through referenda and general elections, and indirectly, through legislative, executive and judicial bodies and elected local councils." The term "people" in this passage denotes society as a whole, both men and women. Throughout the Constitution, in fact, the equality of the sexes before the law is clearly shown by the use of such terms as "citizens", which are general and inclusive and apply both to men and to women. This is evident from the articles referred to above, and also from Articles 56, 57, 58, 49, 51, 54, 55, 48, 44, 43 and 42, among others. This equality between men and women that is enshrined in the Constitution is also a feature of the laws regulating various aspects of the lives of Yemeni citizens.

Women and men are also treated equally in judicial matters. Under Article 51 of the Constitution, every citizen, man or woman, "may have recourse to the judiciary to protect his or her lawful rights and interests, and may bring complaints, comments or proposals before Governmental bodies and institutions, directly or indirectly." The Constitution also explicitly guarantees every citizen, man or women, the right to defend himself or herself, or to be defended by another person, at every stage of the judicial process and before all courts of law. Furthermore, the State is required to provide legal assistance for persons who cannot afford to pay for their own defence. Here again, the terms used are general and inclusive and are applicable to women and men alike, so that a woman, no less than a man, is entitled to defend herself and to receive legal assistance if she is not in a position to pay for her own defence. Article 49 of the Constitution reads, "The right of defence, in person or by counsel, is guaranteed at every stage of the judicial process and before all courts, in accordance with the provisions of the law. The State shall provide legal assistance for persons who do not have the means to provide for their own defence, in accordance with the law."

Under Articles 49 and 51 of the Constitution, then, women and men are treated on an footing of equality before the courts, whether as plaintiffs or as defendants. Confirming this Constitutionally guaranteed equality, Article 2 of the Judicial Authority Law (Law No. 1 of 1990) states, "All litigants are equal before the judiciary, regardless of their status or situation." That is to say, all litigants, men or women, are equal before the judiciary, regardless of their status as male or female or their situation. Article 9 of the Law of Criminal Procedure (Law No. 13 of 1994) reads as follows: "The right of defence is guaranteed. An accused person may conduct his own defence, or may appoint counsel to conduct the defence on his behalf, at every stage of the judicial process, including the investigation. Where the accused person is insolvent or indigent, the State shall provide counsel. The Council of Ministers, at the instance of the Minister of Justice, shall issue regulations governing the provision of counsel for insolvent or indigent defendants." This article thus reiterates and explicates the content of Article 49 of the Constitution.

Article 149 of the Constitution reads as follows: "The judiciary is legally, financially and administratively independent, and the Office of the Public Prosecutor is a component of it. The courts shall rule on all disputes and criminal matters. Judges are independent, and in giving judgement are subject to no authority other than the law. No person or entity may interfere in any way with the workings of the judiciary, and any such interference shall be deemed to constitute an offence liable to criminal prosecution and shall not be subject to any statute of limitations." Article 151 of the Constitution, for its part, reads as follows: "Members of the judiciary and the Office of the Public Prosecutor shall be liable to dismissal only in the circumstances and subject to the conditions set forth in the law. Furthermore, they may be transferred from the Bench to non-judicial posts only with their consent and with the approval of the Board dealing with such matters, except for disciplinary reasons. The legal profession shall also be regulated by law."

Article 1 of the Judiciary Law (Law No. 1 of 1991), reads as follows: "The judiciary is independent in the performance of its duties. Judges are also independent, and in giving judgement are subject to no authority other than the law. No person or entity may interfere in any way with the workings of the judiciary or with any matter of justice, and any such interference shall be deemed to constitute an offence liable to criminal prosecution and shall not be subject to any statute of limitations." The term "judges" in the above passages is clearly general and inclusive, implying that judges and members of the Office of the Public Prosecutor may equally well be either men or women. This is confirmed by Article 57 of the Judiciary Law, which sets forth the general conditions required for appointment to a position as a magistrate or a public prosecutor. The criteria include requirements relating to age, nationality and qualifications, but none relating to sex. Yemen currently has 32 women magistrates.

Under Article 38 of the Civil Code (Law No. 19 of 1992), an individual's legal capacity begins at the time when the individual concerned is born alive, and ends with his or her death. The law also recognizes a foetus in the womb as having certain rights, in particular as regards inheritance: an unborn child is entitled to the share of a son or daughter, as the case may be, if born alive in due course. The article in question reads as follows: "An individual's legal capacity begins at the time of his or her live birth and ends with death. Furthermore, an unborn foetus is deemed to possesses rights under the law."

The two kinds of capacity

Article 50 of the Civil Code distinguishes two kinds of capacity: capacity of obligation and capacity of execution. Capacity of obligation is the capacity to acquire rights and duties, and it is possessed by every individual, man or woman. Capacity of execution is the capacity to perform actions entailing legal effects, and this type of capacity is also possessed by men and women equally, without discrimination. The text of Article 50 reads as follows: "Capacity is of two kinds: capacity of obligation, which confers rights and duties upon an individual from birth, and capacity of execution, by virtue of which an individual exercises his civil rights." Article 51 of the Civil Code sets the age of majority at 15 years. That is the age at which an individual, whether man or woman, is deemed to be fully competent to contract and to dispose and to exercise his or her civil rights, provided he or she is of sound mind and reasonable in behaviour. However, a different age of majority with respect to the exercise or enjoyment of certain rights may be set by legislation.

As the foregoing discussion shows, women have the full right to perform actions entailing legal effects, such as entering into contracts on their own behalf and engaging in commerce. Under Article 8 of the Commercial Code (Law No. 32 of 1991), commerce is defined as "any activity undertaken by a person with a view to earning a profit, even where the person concerned is not a businessman." The term used in this passage is "person", which is neutral in connotation and may refer equally well to a man or a woman. A woman may thus engage in commerce without being required to secure anyone's permission or prior consent; the law sets no such conditions. Article 18 of the Commercial Code states, "Every person who carries on commercial activity on his own behalf, possessing the necessary capacity and making his living by that means, shall be deemed to be a businessman."

This matter is clarified beyond any shadow of a doubt by Article 54 of the Civil Code, under which an absent man's wife and children who have reached the age of majority are deemed to be his agents and, as such, have the right to care for and manage his assets, to spend from them to supply their own needs, to pay his debts and receive any payments due to him. Article 54 reads as follows: "Where a man has been absent for a year, his whereabouts being unknown and no information about him having been received during that time, if he has no agent, representative or legal guardian, his wife and children who have reached the age of majority shall be deemed to be his agents, and, as such, shall manage his assets, care for them, spend from them as necessary to provide for their own needs, pay his debts and receive any payments owing to him. Where the absent person has no wife or children, or where it is proved that there is a risk of their squandering the assets in question, the court shall appoint a prudent and trustworthy relative of the absent person to manage his assets, acting in the capacity of a trustee under the supervision of the court." It is thus clear that a woman has the right to manage her absent husband's assets, as, indeed, she may do if he has given her power of attorney in the matter.

Article 123 of the Civil Code defines the term "right" as follows: "A right is a material or moral interest recognized by the *Shari'ah* as being vested in an individual, society or both. Where the right in question relates to tangible assets, it entails the power to dispose of, enjoy, use and profit from the assets in question in accordance with the law. For every right there is a corresponding duty which is incumbent upon the holder of the right in question." In this passage, the terms "individual" and "holder" are general and inclusive and may denote a person of either sex, and it follows that a woman may manage and dispose of her husband's assets without being subject to any restrictions. Article 140 of the Code defines the term "contract" as follows: "A contract is an undertaking by one of the parties and the consent thereto by the other party, explicit or implicit, such that an effect is produced on the object of the contract. A contract binds each party to perform an obligation toward the other party, its binding nature depending, not on a specific form of agreement, but on the mutual consent of the contracting parties." Here again, the term "contracting parties" is general and inclusive and may denote women as well as men.

Article 26 of the Law of Evidence (Law No. 21 of 1992) defines the term "testimony" as follows: "Testimony is the giving of information in a court of law in support of one person's claim against that of another." This shows that women are competent to testify in court, as it is clear from the wording of the article just referred to that testimony is receivable regardless of whether the person giving it is a man or a woman. Article 27 of the same Law sets forth the conditions under which a witness's testimony is receivable: the witness must be of sound mind, of age and of good reputation, must personally have observed the matter with which his testimony is concerned, must not have been convicted of any serious offence, must not be of questionable integrity, must not hope to derive any benefit or to avoid any loss or injury by his testimony and must not be an adversary of the person against whom the testimony is given, nor may his testimony relate to an act of his own. None of these conditions has to do with the sex of the witness. It is thus clear that a woman's testimony is equal in value to a man's and is deemed to be equally reliable. Indeed, with respect to matters of which men can have no knowledge and occurrences in places to which only women have access, women's testimony is indispensable (Article 30 of the Law of Evidence).

Article 57 of the Constitution reads as follows: "All citizens shall have freedom of movement from one place to another within the territory of the Republic of Yemen. That freedom may not be curtailed, except in such cases as may be specified by law for reasons of the safety and security of citizens. Entry into and departure from the Republic of Yemen shall be regulated by law. No citizen may be expelled from the country or prevented from returning to it." These Constitutional provisions give women the same freedom of movement within the country as is enjoyed by men, and women and men alike are free to select their place of residence. Under Article 246 of the Criminal Code, "Every person who unlawfully detains another person or deprives another person of his freedom by any means shall be liable to a term of imprisonment of not more than three years. The penalty shall be a term of imprisonment of not more than five years where the unlawful act is committed by a civil servant or a person impersonating a civil servant, a person who is armed or two or more persons together, where the unlawful act is committed for the purpose of robbery, where the victim is a minor or mentally deficient, or where the unlawful act endangers the life or health of the victim."

Article 16

Marriage and family law

Under Article 26 of the Constitution, the family is the basis of society, and the mainstays of the family are religion, morality and love of country. It is the function of the law to maintain the family as an entity and strengthen the bonds holding it together. Family relations in the Republic of Yemen are regulated by the Law of Personal Status (Law No. 20 of 1992) and amendments thereto. The provisions of that Law are derived from the Islamic *Shari'ah*, which stipulates that in the union of a man and a woman, each party has rights and duties *vis-à-vis* the other in the interests of their mutual affection and kindness. Under the *Shari'ah*, a woman has the right to see the man who wishes to marry her and to decide whether she is willing to accept him. The man has a similar right. That is to say, a woman has the right to choose her husband, just as a man has the right to choose his wife. A marriage contract, like any other contract, is valid only provided two necessary conditions are met, namely offer and acceptance; otherwise the contract is null and void. Consequently, if the woman does not agree to marry the man who has asked for her hand, the contract cannot be concluded, as one of the necessary conditions has not been met.

Article 23 of the Law of Personal Status states: "The woman's consent is required. A virgin's consent is her silence, while the consent of a widow or divorced woman is spoken aloud." It is clear from this article that the woman's consent and her acceptance of the man who is seeking her hand in marriage constitute an essential condition for the conclusion of the marriage contract. The judge who presides at the marriage must ensure that that condition has been fulfilled before ruling that the contract has been concluded. A marriage contract concluded under duress is invalid: Article 10 of the Law of Personal Status states explicitly that "a marriage contract to which either the woman or the man has consented under duress shall be deemed invalid." Conversely, a woman may not be prevented from marrying a man who has asked for her hand and whom she has accepted. If the woman's legal guardian refuses to allow her to marry him, the judge may order him to consent to the marriage, and if he still refuses, the judge may order the marriage to take place. Article 18, paragraph 2 of the Law states, "Where the woman's legal guardian refuses, the judge shall order him to consent to the marriage. If he still refuses, the judge shall order the woman's next of kin after the guardian to give his consent in the place of the legal guardian. Where there is no such next of kin, or where he in his turn refuses to consent to the marriage, the judge shall order the marriage to take place and shall stipulate a nuptial gift of an amount appropriate for a woman of her status." Under Article 19 of the law, a legal guardian is deemed to have been deficient in the performance of his duty if he does not consent to the marriage of a woman who is of age, of sound mind and willing to marry a man who has asked for her hand.

An engagement comes about when a man asks a woman, or her family, for her hand in marriage. This, at any rate, is the usual procedure, since it is the man who establishes a family. However, there is nothing to prevent a woman or her family from asking for a man's hand in marriage, subject to the provisions of the *Shari'ah* and what is acceptable according to custom. An engagement may be entered into either by tacit agreement or by an explicit request on the part of a man for the hand of a woman in marriage. Practice varies from region to region, depending on the traditional customs of different parts of the country, but there are two common denominators: in all cases, local custom is consistent with the provisions of the law, and in all cases the fundamental principle is that the prospective spouses are willing to marry each other. Article 2 of the Law of Personal Status states, "An engagement comes about when a person, or someone acting on his behalf, approaches a woman's legal guardian with a request for her hand in marriage." A Muslim is prohibited from soliciting the hand of a woman who is engaged to another Muslim, unless the latter renounces his engagement to the woman in question. A woman is prohibited from becoming engaged during her waiting period (*'iddah*), except after an irrevocable divorce.

Under Article 15 of the Law of Personal Status, a marriage may take place only provided the bride is fit to engage in sexual intercourse and is over 15 years old. The same article states that a marriage may not be contracted with a minor, except where such a marriage will entail some clear benefit. However, early marriage is a common phenomenon in Yemen. As we have seen, Article 51 of the Civil Code (Law No. 19 of 1992) sets the age of majority, both for men and for women, at 15. That article states, "The age of majority is 15 years. An individual of that age shall be deemed to be fully competent to contract and to dispose and to exercise his civil rights, provided he is of sound mind and reasonable in behaviour. However, a different age of majority with respect to the exercise or enjoyment of certain rights may be set by legislation."

Article 14 of the Law of Personal Status states, "The person who presides at the conclusion of a marriage contract, the groom and the legal guardian of the bride shall register the contract with the competent authority within one month following the date of the marriage. The contract may be registered by any one of the three above-mentioned persons, provided it contains all the required information, such as the ages of the parties, their identity card numbers, if any, and the amount of the part of the nuptial gift paid immediately and the amount of the deferred part." There is no legal requirement for the registration of a divorce in the same way, but this is usually done none the less, by way of establishing officially that the former man and wife are divorced. Under article 348, paragraph (b) of the Law, a husband who repudiates his wife is required to inform the competent authority of the fact within one week.

It is clear from the text of the above-mentioned Article 14 that the husband is required to bestow a nuptial gift on his wife, and that the amount of the gift, including both the part paid immediately and the deferred part, must be shown in the marriage contract. Article 33 of the Law of Personal Status reads as follows:

(a) Where a nuptial gift is bestowed on a bride under a valid marriage contract, i.e. one entered into by mutual agreement, the contract shall specify what is excluded from the gift in terms of property and lawful benefits. Where these matters are imperfectly indicated or omitted and hence cannot be determined, the standard conditions governing nuptial gifts shall apply.

(b) The nuptial gift shall be the exclusive property of the wife, who may dispose of it as she sees fit. Any provision to the contrary shall be deemed null and void.

A nuptial gift is an indispensable necessity and a religious obligation incumbent on the husband. If the marriage contract does not specify the amount of the gift, the wife is entitled to a nuptial gift appropriate for a woman of her status marrying at the same time. In a word, there can be no marriage without a nuptial gift.

Article 40 of the Law of Personal Status reads as follows: "It is the wife's duty to obey her husband in matters conducive to the interests of the family. In particular, she shall:

- Move with him into the conjugal home, except where the marriage contract specifies that the husband shall reside at the home of his wife or her family, in which case the family shall be required to allow the husband freedom of access to his wife;
- Consent to legitimate marital relations;
- Obey her husband in lawful matters and perform household tasks such as are regularly performed by wives;
- Secure her husband's permission before leaving the house, except in circumstances deemed permissible under the *Shari'ah* or for a socially acceptable purpose that is not dishonourable and is not inconsistent with her duty toward her husband, such as seeing to his interests, working at a job which she has taken with his consent and which is consistent with the *Shari'ah*, or performing services for one or both of her aged parents, where there is no one else who can do so."

Article 41 deals with the husband's duties toward his wife. It specifies that he shall:

- Provide a lawful conjugal home of a quality appropriate to a woman of her status;
- Provide her with food and clothing of a quality appropriate to a woman of her status;
- Treat her with fairness and equity, on a footing of equality with his other wives, if any;
- Refrain from using assets belonging to her for his own personal interests;
- Refrain from harming her physically or morally.

Article 42 provides that the conjugal home shall be an independent dwelling in which the wife and her assets are safe and secure. The husband's financial situation, the homes of women of similar status, the traditions of the region and the state of the prospective dwelling are factors that should be taken into consideration in selecting the conjugal home. The husband may accommodate in the conjugal home, along with his wife, his children by her or by another wife or other wives, even after such children have reached the age of majority, his parents, and female relatives whom it is not lawful for him to marry and whom it is his duty to accommodate, provided the house has room enough for them without prejudice to the wife, and provided there is no stipulation to the contrary in the marriage contract. The husband may keep a second wife in the conjugal home only with the consent of his first wife, and such consent may be withdrawn at any time.

Article 12 provides that a man may have up to four wives, provided:

- He treats them all equally, failing which he may have only one;
- He is in a position to maintain them all;
- He informs each wife of the fact that he has or is about to marry another wife or other wives.

Polygamy is permitted under Yemeni law, which is rooted in the Islamic *Shari'ah*. A man with more than one wife has the rights set forth in the above-mentioned Article 40 of the Law of Personal Status, and his wives have the rights set forth in the above-mentioned Articles 41 and 42.

A man and a woman constitute the twin pillars of the matrimonial and family relationship. Each of them may freely decide as to the number and spacing of their children; the law places no restrictions whatever on the freedom of either partner in that respect. Women may have free and unrestricted access to the family planning information and services available from health care facilities and institutions, without being required to obtain permission from anyone. Women and men enjoy the same rights with respect to the upbringing of their children, since, as we have seen, they constitute the twin pillars of the matrimonial relationship. They are free to decide how to organize their lives as they see fit; the law places no restrictions on the rights of women in that respect.

Women also have the same rights as men with respect to the guardianship of minors. Article 261 of the Law of Personal Status defines the term "guardian" as follows: "A guardian is an individual designated under the will of a deceased person to execute the will, settle the deceased person's outstanding debts, receive any monies owing to him and/or care for his minor children and their assets. A guardian may designate another person to perform those duties after the guardian's death." In this passage, the Law of Personal Status uses the term "guardian" unconditionally, without specifying that the guardian must be either a man or a woman. Articles 262-281 of the Law, which deal with the qualifications and remuneration of guardians, also contain no conditions as to their sex. As we saw earlier, women have the right to perform acts entailing legal effects, such as the management of real property or other assets, and marriage places no limitations or restrictions on that right; a woman's legal capacity to contract and to dispose is the same before and after her marriage.

Property and related matters are regulated by Chapter IV of the Civil Code (Law No. 19 of 1992, promulgated on 29 March 1992). The provisions of that chapter include the following:

- Under Article 1161, the owner of an asset may, subject to the provisions of the law, derive benefit from, use, manage and dispose of that asset;
- Under Article 1162, the owner of an asset is the owner of every part and component of that asset;
- Under Article 1164, the owner of an asset is entitled to all original and derived benefits accruing from that asset by law and custom, except as otherwise provided by statute;
- Under Article 1166, no one may dispossess another person of property belonging to him, except under the conditions prescribed by law, in accordance with the procedure prescribed by law, and paying fair compensation therefore.

The provisions outlined above show clearly that women enjoy the right to own property, subject to no restrictions that do not also apply to men. Article 1161, in particular, shows that women, no less than men, may own property, derive benefit from it, use it, manage it and dispose of it, subject to the provisions of the law. Articles 1167-1186 set forth limitations on property rights, involving easements, partnerships and the like, but none of those limitations applies differently to women and men.

Divorce is permitted by the Islamic *Shari'ah* as a means of resolving the tensions and frustrations arising from a marriage that has not attained the aims intended by Almighty God, namely mutual affection and kindness, personal peace and co-operation in life. Under Article 59 of the Law of Personal Status and amendments thereto, "A husband may repudiate his wife three times, after which they are irrevocably divorced and may not marry each other again, unless in the interim she has been married to another husband and that marriage has been consummated." Divorce is thus the husband's prerogative, although a husband may waive his right to divorce his wife, and under Article 60 of the Law of Personal Status, "A couple may be divorced at the instance of the husband or a person authorized to act on his behalf, even where that person is the wife." But while divorce is the husband's prerogative, that does not mean that a woman has no way of putting an end to conjugal life if she so wishes. In particular, the *Shari'ah* provides for what is known as *khul'*, i.e. divorce at the instance of the woman, where she considers that it is impossible for the couple's conjugal life to continue, in which case she is required to pay compensation to her husband in consideration of the expense he has incurred on account of their marriage. The conjugal relationship is thereupon terminated. This type of divorce and the rules governing it are dealt with in Articles 72, 73 and 74 of the Law of Personal Status.

Article 141 of the Law of Personal Status makes it clear that the mother has priority with respect to the custody of her children following divorce or her husband's death. The article in question states this in general terms, without restricting the mother's rights in that connection to specific cases. The mother's right to custody of her children following divorce or the death of her husband is thus absolute, provided she fulfils the general criteria for guardianship, namely that she is of age, of sound mind, devoted to her children and in a position to care for them and ensure their physical and moral welfare. Articles 141 and 142 of the Law provide that in the event of the mother's death, custody shall devolve upon the minor children's maternal grandmother, however old she is, and then successively upon their aunts, their father and their paternal grandmother. The period of guardianship is set at nine years for boys and 12 years for girls, except where a judge rules otherwise if he deems a longer period necessary in the children's interests. The judge has discretion in the matter under Article 139 of the Law, subject to the provisions of Article 148. We may note at this point that actual practice in such matters as nursing, maintenance and guardianship is entirely consistent with the provisions of the law, which are clear and unambiguous. A mother may renounce guardianship of a child only provided the child is willing to accept another guardian in her stead, failing which she is required to assume the duties of guardianship, because the child's right in the matter takes precedence. If the mother remarries, her husband may not prevent her from caring for her child until such time as someone has been found to serve as guardian in her stead. Misconduct on her part does not invalidate her right to custody of her child until the child has reached the age of five.

Article 142 of the Law of Family Status reads as follows: "Where the mother dies or is found incompetent, guardianship shall devolve upon her mother, however old she is, and then successively upon the minor child's maternal aunts, father, where he is a Muslim, father's mother, however old she is, mother's paternal grandmother, sisters, maternal aunts' daughters, sisters' daughters, brothers' daughters, paternal aunts, paternal uncle's daughters, father's paternal aunts, father's paternal aunts' daughters and father's paternal uncles' daughters. Where no female relative is available, guardianship shall devolve upon the closest male next of kin, followed by the next closest, and so on, first among the mother's relatives and then among the father's. In every case, a person who is related to both the child's parents has precedence over a person who is related to only one of them, and a person who is related to the mother has precedence over a person who is related to the father. Where two relatives are of equal standing, the more meritorious of them shall have precedence, and where both are equally meritorious, the judge shall designate a guardian, and he shall have discretion to depart from the order of precedence set forth above where he deems it in the minor child's interest to do so."

Article 143 reads as follows: "Guardianship shall devolve from one person in the above-mentioned order of precedence by reason of insanity, leprosy, blindness, neglect, debauchery, and marriage with a person devoid of compassion toward the minor child." At the end of the period of guardianship, when the child becomes independent, he may choose between his or her father and mother, in accordance with Article 148, which states: "When the child, whether boy or girl, becomes independent, he or she may choose between his or her father and mother, if they disagree as to where the child's interest lies. Where neither the father nor the mother has had custody of the child and the persons who have had such custody disagree as to where the child's interest lies, the judge shall rule on the matter after consultation with the child in question." There is an overriding principle to the effect that a father or husband is required to support his children. The law requires him to furnish food, clothing, shelter, medical care and the like; this is set forth in Article 149, which states, "Subsistence means the material needs provided by a person to another person by reason of relationship or some other reason, and includes food, clothing, shelter, medical care and the like." Orders for the provision of subsistence for children are enforced without delay, and appeal from such an order does not suspend its effect: Article 210 of the Law of Procedures (Law No. 28 of 1992) states that an appeal from an order suspends the effect of the order in question, except where the order concerns subsistence, payment for wet-nursing, guardianship, shelter or the surrender of a minor child to his or her mother.

Divorce does not entail a division of property: the woman retains all her personal possessions, the husband not being entitled to any part of them. The husband is required to maintain his ex-wife until the end of her waiting period (*'iddah*), in accordance with Article 151 of the Law of Personal Status, which states, "In the event of a revocable pronouncement of divorce, or where the divorced woman is pregnant, her former husband shall be required to maintain her until the end of her *iddah*." As long as the woman is living in the conjugal home, she is required to perform her usual household tasks. Where a wife has acquired property by her work, including agricultural property or property of any other kind, such property belongs to her, both during the period of conjugal life and following divorce, and she may dispose of it as she sees fit.

Rights and obligations following the death of a spouse

Rights and obligations of a widow. A widow is required to observe a waiting period (*'iddah*) of four months and ten days following the death of her husband, out of respect for the sanctity of the marriage relationship and to make sure that she is not pregnant. If she is pregnant at the time of her husband's death, her *'iddah* ends when the child is born. These requirements are set forth in Article 81 of the Law of Personal Status, which reads as follows: "The *'iddah* of a pregnant woman whose husband dies shall end in all cases with the birth of the child, and that of a woman who is not pregnant shall end after a period of four months and ten days." A widow may not remarry under any circumstances during her *'iddah*, and custom dictates that she should not leave the house during that time, unless absolutely necessary, and should abstain from using cosmetics. A woman may inherit from her deceased husband, after deduction of the amounts required for funeral expenses, her own subsistence during her *'iddah*, payment of his debts and the execution of the will.

Rights and obligations of a widower. A man who has lost his wife is not required to observe a waiting period analogous to the *'iddah* observed by a woman who has lost her husband. A widower may inherit from his deceased wife, after her debts have been paid and her will executed.

A widow and her daughters inherit from their deceased husband/father, regardless of whether his estate consists of land or movable property. The widow and all her children, male and female, inherit either type of property, without discrimination, even where the deceased man has not left a will, as their right of inheritance is guaranteed by law. We may note at this point that the widow and her daughters are heirs under the *Shari'ah*. The Islamic religion recommends the making of a will characterized by kindness and equity. As a rule, a will should be comprehensive in nature; under Article 234 of the Law of Personal Status, a will that leaves certain items to particular heirs is valid only provided the other heirs consent. If, for example, the deceased man leaves real property or other assets to his widow or daughter, the bequest is valid only if the other heirs consent to it. Otherwise, the will is not valid, and the widow and daughter are entitled only to their share of the inheritance as prescribed by the *Shari'ah*.

The right of inheritance is guaranteed by law, even in the absence of a will, under Article 307 of the Law of Personal Status, which states, "Persons entitled to inherit fall into six categories: daughters, sons' daughters and their descendants, sons, sons' sons and their descendants." A deceased person's children are thus entitled to their share of his inheritance, even if he leaves no will. However, the share of a male heir is double that of a female heir.

Unsatisfactory aspects of the Law of Personal Status (Law No. 20 of 1992) and amendments thereto

The Law of Personal Status is one of a number of laws that were promulgated after the reunification of the country in 1990. Experience soon showed, however, that it was deficient in many respects, and consequently the competent authorities amended a number of its articles in response to urgent representations from women. The Law was initially amended by Law No. 27 of 1998, but as women had not participated in the amendment process, the deficiencies were not corrected. A second effort to amend the Law was made in the following year with the adoption of Law No. 24 of 1999. Unfortunately, these amendments have clearly been injurious to women's interests and have deprived women of some of the rights and guarantees which should be associated with conjugal life. Many of the amended articles are marked by discrimination toward women. The main defective features of the amended Law of Personal Status are as follows:

- A wife is denied the right to be informed that her husband is preparing to marry a second wife, whereas that right was enshrined in the original 1992 version of the Law;
- Both the original Law and the amendments require a marriage to be registered with the competent court, but do not require a divorce to be so registered;
- The Law provides that an insane person may be married by court order, but does not make the order contingent on the submission of a medical report on the condition of the person concerned and the gravity of his mental illness;
- Under the Law, where a woman takes employment outside her home without her husband's consent, the husband is released from his obligation to provide for her maintenance;
- According to the amended version of the Law, a marriage contract concluded on behalf of a minor by her guardian is deemed to be valid, whereas under the original version of the Law, no minor under the age of 15, whether male or female, could lawfully marry;
- Under the original 1992 version of the Law, in a case where a man had divorced his wife, if it appeared to the judge that the man had acted arbitrarily, he could order the payment of compensation in an amount equal to one year of maintenance. In the amended version of 1999, this provision, which provided women with an important measure of protection, was deleted.
- Under the original 1992 version of the Law, the children of a woman who died before her father were entitled to a share in their maternal grandfather's inheritance if their own father had been a poor man. In the amended version of 1999, this provision was deleted. Yet an analogous provision conferring the same right on the children of a man who predeceases his father was left unchanged.

The above are only some of the unsatisfactory aspects of the amended version of the Law of Personal Status; there are various others which cannot be discussed in this report for lack of space. In general, it may be said that the amendments to the Law have altered it for the worse by weakening or eliminating a number of the rights and guarantees contained in the original version. The Women's National Committee has prepared a report pointing out the various deficiencies in the amended version of the Law of Personal Status and has submitted it to the Council of Ministers. The Council of Ministers has acknowledged receipt of the report and has referred it to the Ministry of Legal Affairs, which will lay it before the Chamber of Deputies in due course.

Part III

Mechanism for dissemination of the Convention through the media

The text of the Convention on the Elimination of All Forms of Discrimination against Women has hardly been disseminated in Yemen at all through any media, official or unofficial, despite the fact that the issues with which it deals are of the utmost importance for women. Dissemination through the media would serve a number of purposes, including:

- Promotion of a change in mentality and in the social reality of women, with the prospect that the Convention would become part of the society's national culture;
- Development of a mechanism whereby the Convention would become a feature of programmes, plans and projects relating to women;
- Promotion of the contents of the Convention through information programmes and strategies designed to help make public opinion aware of the Convention and the importance of disseminating it as widely as possible;
- Furthering of a transition process whereby the methods and channels used for dissemination of the Convention would not merely inform people about it but would help persuade them to accept it, incorporate it into various programmes and activities and make it an integral part of every aspect of their lives, thereby enabling individuals, associations and society in general to become more aware of women's issues and their rights as enshrined in the Convention, helping prevent discrimination against them and fostering the acceptance of change along those lines;
- Promotion of fuller awareness of and greater familiarity with the objectives and content of the Convention, with the ultimate prospect of the application of its provisions in all policies, programmes and activities;
- Enhanced availability of information about the various articles of the Convention, supported by printed brochures and posters for distribution in the context of governmental and non-governmental programmes in the area of women's issues and throughout the private sector;
- Encouragement for the organization of information campaigns involving the print and audio-visual media to provide integrated coverage of the Convention;
- Encouragement for the development of educational, cultural and informational materials to convey the message of the Convention, and for the use of mobile broadcasting units, symposia, workshops and open meetings for the same purpose;
- The setting of an example in the hope of attracting support from private-sector institutions and non-governmental organizations;
- Promotion of the use of population information channels to influence people's reference frameworks, stimulate positive change in existing mind-sets, enhance awareness of women's issues, needs and rights, and alter stereotyped patterns of behaviour;
- Encouragement for the use of official media channels to target the population in general and specific groups in particular with information about the Convention.

General and interim objectives of media coverage of the mechanism for dissemination of the Convention

- Provision of adequate information about the Convention for media personnel;
- Identification of interim or short-term objectives focussing on:

- Enhanced public awareness of the Convention's content and its human, social and developmental objectives;
- Encouragement for public acceptance of the Convention's content and aims through the preparation of messages designed to arouse interest in all aspects of women's issues;
- Strengthening of all programmes, plans and projects relating to women through the inclusion of a component dedicated to the mechanism for dissemination of the Convention;
- Preparation of an information plan featuring selected messages dealing with dissemination of the Convention.

The media and information channels that are to be harnessed to constitute the mechanism for dissemination of the Convention will be entrusted with responsibility for attaining the above-mentioned objectives, and the necessary resources to that end will be placed at their disposal. The objects of this exercise may be defined as follows:

- Appropriate training and skills development for media personnel, designed to enable them to develop information messages and programmes that will effectively enhance the dissemination of the Convention;
- Allocation of the necessary budget amounts to expand the scope of the effort to disseminate the Convention, with a view to engaging public opinion among both sexes;
- Ensuring that qualified technical experts participate in the preparation of national training and skills development programmes and technical advisory programmes aimed at more effective dissemination of the Convention;
- Preparation of a training manual designed to enhance awareness of the objectives of the Convention, drafted in accordance with scientific and practical standards and criteria and intended for the use of teachers at all educational levels, university professors, judges, security personnel, criminal investigators and the like.

Difficulties encountered to date

- Low level of awareness of the importance of the Convention and methods whereby it could be disseminated and integrated into working plans and programmes;
- Unfamiliarity with the Convention on the part of many judges, lawyers and other persons working in the judicial field, who clearly would be in a position to play an important role in the application and dissemination of the Convention;
- Failure of the Government to allocate funds for the establishment of a dissemination mechanism;
- Lack of qualified media technicians with the skills required to prepare targeted messages designed to activate the dissemination mechanism;
- Lack of training manuals prepared in accordance with scientific standards and criteria that could serve to enhance awareness of the contents and objectives of the Convention and produce positive results in that connection.

References

Ministry of Planning and Development, Central Statistics Organization, *2000 Statistical Yearbook*, Sana’a, June 2001

Al-Thawabet magazine, “Symposium on emigrants and economic development in Yemen”

Saeed al-Mikhlafi, *The Attitude of Society to Working Women*, July 1997

Ministry of Planning and Development, Central Statistics Organization, *Women and Men in the Republic of Yemen, a Statistical Portrait*, 2001

Women’s National Committee, *Report on the Status of Women in Yemen*, Sana’a, 2000

Ministry of Education, *General Statistics on Education, 1998*

World Bank, *Education in Yemen*

Ministry of Education, *General Education Survey, 1997-1998*

Central Statistics Organization, *Demographic Survey of Mother and Child Health in Yemen, 1997*

Central Statistics Organization, *Demographic Survey of Mother and Child Health in Yemen, 1992*

Ministry of Public Health, *First Five-Year Health Development Plan (1996-2000)*

Sharon Betty, *An Analysis of the Situation of Women and Children, 1998*

Ministry of Planning and Development, *General Report on Population, Housing and Enterprises, 1994*

Ministry of Agriculture, *General Policy in Agriculture and Food Security*, June 1998

Statistics on production, marketing and infrastructure projects financed by the Fund in the agriculture and fisheries sectors, 1997-1998

Dr. Huriyah Kamel Tayeb, *Scientific Study on Diet in Households in Wadi Mor*, Tihama Agency for Development, Hodeida

Dr. Abdulhakim al-Sharjabi, *Women in Politics, A Strategic Report on Yemen, 2000*, Sana’a, August 2001

Dr. Naguiba Abdulghani, *Risk Factors and Maternal Mortality in Hospitals in Yemen*, doctoral thesis, University of London, 1993

Girls Education Strategy

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